

The **PRESIDING OFFICER**. Without objection, the nominations of postmasters are confirmed en bloc.
That concludes the calendar.

RECESS

Mr. **BARKLEY**. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 35 minutes p. m.) the Senate took a recess until tomorrow, Thursday, January 26, 1939, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 25 (legislative day of January 17), 1939

UNITED STATES HOUSING AUTHORITY

Jacob Crane, of Illinois, as Assistant Administrator and Director of Project Planning of the United States Housing Authority.

UNITED STATES DISTRICT JUDGE

Gaston Louis Porterie, of Louisiana, to be United States district judge for the western district of Louisiana, to fill a position created by the act of Congress of May 31, 1938.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 25 (legislative day of January 17), 1939

POSTMASTERS

COLORADO

John W. Baldwin, Hudson.

Gertrude M. Carroll, Woodland Park.

WITHDRAWAL

Executive nomination withdrawn from the Senate January 25 (legislative day of January 17), 1939

UNITED STATES DISTRICT JUDGE

Gaston Louis Porterie, of Louisiana, to be United States district judge for the northern district of Louisiana, to fill a position created by the act of Congress of May 31, 1938.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 25, 1939

The House met at 12 o'clock noon.

The Chaplain, Rev. James Spera Montgomery, D. D., offered the following prayer:

O our blessed Heavenly Father, we are deeply thankful when we think of the Lord God at Bethel, in the manger, on the cross, and on the mount. Cause us this day some message of Thy truth to bring; speak through our lives and our lips as we work for things to be. As we pray may we harken unto Thy word: "A man shall be as a hiding place from the wind, and a covert from the tempest; as rivers of water in a dry place, as the shadow of a great rock in a weary land." O kindle our souls with enthusiastic love and devotion. Let the Rock with its restful shadow shelter us. When the wind of trial is fiercest, be our hiding place; when the blasting tempest affrights us and the way leads through the desert of unfruitful experience; when hopes wither and plans are defeated, be Thou a refreshing stream of water in the barren places. In the name of the Saviour. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read.

The **SPEAKER**. Without objection the Journal will stand approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Frazier, its legislative clerk, announced that Mr. **LUCAS**, of Illinois, had been appointed as a member of the Joint Committee on Government Organization, in accordance with Public Resolution No. 4,

Seventy-fifth Congress, to fill the vacancy caused thereon by the expiration of the term of Hon. Fred H. Brown, formerly a Senator from the State of New Hampshire.

The message also announced that the Vice President had appointed Mr. **BARKLEY** and Mr. **GIBSON** members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the Executive departments," for the disposition of executive papers in the following departments and agencies:

1. Department of Commerce.
2. Department of Labor.
3. Department of the Navy.
4. Post Office Department.
5. Farm Credit Administration.
6. Federal Trade Commission.
7. Works Progress Administration.

EXTENSION OF REMARKS

Mr. **MARTIN J. KENNEDY**. Mr. Speaker, I ask unanimous consent to extend my own remarks in the **RECORD** and to include therein a letter by Frederic R. Coudert, a leading international lawyer, to the editor of the New York Times which appeared in today's edition in reply to a letter of the Honorable Henry C. Stimson recently published in the New York Times on the Spanish embargo.

Mr. **HALLECK**. Mr. Speaker, reserving the right to object, and I certainly have no personal objection to the matter offered by the gentleman from New York, but on Friday last I made a perfectly reasonable request to extend in the **RECORD** a statement and article by one of our own Members. It was objected to. Until that matter is incorporated in the **RECORD**, or until we have some understanding as to what the content of the **RECORD** shall be, I feel myself constrained to object, and I do object.

The **SPEAKER**. Objection is heard.

CALENDAR WEDNESDAY

The **SPEAKER**. This is Calendar Wednesday. The Clerk will call the roll of the committees.

The Clerk called the roll of the committees.

CODIFICATION OF INTERNAL-REVENUE LAWS

Mr. **DOUGHTON** (when the Committee on Ways and Means was called). Mr. Speaker, by direction of the Committee on Ways and Means, I call up the bill (H. R. 2762) to consolidate and codify the internal-revenue laws of the United States.

CALL OF THE HOUSE

Mr. **MARTIN** of Massachusetts. Mr. Speaker, a point of order.

The **SPEAKER**. The gentleman will state it.

Mr. **MARTIN** of Massachusetts. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. The gentleman from Massachusetts makes the point of order that there is not a quorum present. Evidently there is no quorum present.

Mr. **DOUGHTON**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 6]

Barton	Douglas	Maclejewski	Seger
Brown, Ohio	Evans	Magnuson	Simpson
Buckley, N. Y.	Gamble	Merritt	Smith, Conn.
Byron	Gerlach	Mitchell	Somers, N. Y.
Case, S. Dak.	Hendricks	Mouton	Summers, Tex.
Clark	Holmes	Murdoch, Ariz.	Sweeney
Collins	Johnson, Okla.	O'Leary	Taylor, Colo.
Creal	Kee	Oliver	Tinkham
Crosser	Lambertson	Ramspeck	Voorhis, Calif.
Curley	McArdle	Reece, Tenn.	White, Idaho
Darrow	McGehee	Risk	Wood
Dempsey	McGranery	Sabath	
Dingell	McReynolds	Sandager	

The SPEAKER. On this roll call 382 Members have answered to their names, a quorum.

On motion of Mr. DOUGHTON, further proceedings under the call were dispensed with.

CODIFICATION OF INTERNAL-REVENUE LAWS

The Clerk read the title of the bill.

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

Mr. CHURCH. Mr. Speaker, reserving the right to object, I understand there are 500 pages in this bill. I ask the chairman of the committee if it is not true that these bills have not yet been printed in accordance with the rules of the House? They are not on the floor of the House now.

Mr. DOUGHTON. I do not suppose I can satisfy the gentleman. There are over 100 copies available. It is a very expensive bill to print, and the committee has been desirous of not incurring any more expense than necessary. I am sure the gentleman has notes of the points of the bill in which he is interested.

Mr. CHURCH. It is my information, Mr. Speaker, that very few copies of this bill are available and there are not more than 18 copies on the floor. This does not comply with the rule of the House or the statute, as set forth on page 455 of the House Rules and Manual, which reads:

SEC. 55. There shall be printed of each Senate and House public bill and joint resolution 625 copies, which shall be distributed—

And so forth.

Mr. DOUGHTON. Mr. Speaker, will the gentleman yield?

Mr. CHURCH. I yield.

Mr. DOUGHTON. I suggest, Mr. Speaker, that the gentleman is proceeding on information that is incorrect.

The SPEAKER. The Chair will overrule the point of order. There are copies available to Members.

Mr. CHURCH. Mr. Speaker, further reserving the right to object, I understand there are no more than 18 copies available. This is a bill of 500 pages. I am therefore constrained to object to the consideration of this bill at this time unless I can receive further information. I am sure I am correct that there are no more than 18 copies of this 500-page bill available for the Members of the House.

Mr. DOUGHTON. I will furnish the gentleman with a copy if that will convince him.

Mr. RAYBURN. If the gentleman will permit, I may say that the gentleman cannot prevent consideration of this bill at this time because it is called up under the Calendar Wednesday rule, and the Committee on Ways and Means was reached on the call of the calendar.

Mr. CHURCH. I understand I cannot prevent the bill's coming up, but I have the right to object to bringing up for consideration a 500-page bill which has not been made available to the Members. It has taken all this discussion on my part to even get the one copy just handed to me.

Mr. RAYBURN. The bill is already before the House, I may say to the gentleman.

Mr. DOUGHTON. We can easily determine whether the gentleman is correct or not.

I take the position the gentleman is entirely incorrect that there are only 18 copies available.

Mr. CHURCH. Mr. Speaker, I want to ask a further question.

The regular order was demanded.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. DOUGHTON]?

Mr. CHURCH. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois [Mr. CHURCH] objects to the request. The House automatically resolves itself into Committee of the Whole House on the state of the Union for the consideration of the bill.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 2762) to consolidate and codify the internal-revenue laws of the United States, with Mr. BEAM in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. DOUGHTON. Mr. Chairman, this bill, H. R. 2762, would enact into absolute law an internal-revenue code, which would contain in one volume all existing law dealing exclusively with internal-revenue matters. At present the internal-revenue laws are scattered throughout 35 volumes of the Statutes at Large which I have before me. The revenue laws are contained in these 35 different volumes.

A taxpayer, in order to find out what his tax liability to the Government is, may have to search painstakingly through all these volumes to ascertain what may be due the Government under existing internal-revenue laws, and then he cannot be absolutely certain he is correct, because many of the laws have been repealed. It may be difficult or impossible for him to find just where the repealing measure is contained in the various books which are on the table here.

I may say at the outset that this bill has the unanimous support of the Committee on Ways and Means.

Mr. TAYLOR of Tennessee. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Tennessee.

Mr. TAYLOR of Tennessee. Does this proposed codification include decisions on questions involving internal revenue laws?

Mr. DOUGHTON. No; it does not contain court decisions. It contains the laws as written, no more and no less.

Mr. TAYLOR of Tennessee. I mean the construction of those laws.

Mr. COOPER. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Tennessee.

Mr. COOPER. Mr. Chairman, this is simply a compilation or codification of all internal revenue statutory law.

There is one practical question presented to the House today and that is whether or not we shall continue with these 35 volumes containing the internal-revenue laws or whether for the convenience and in the interest of the taxpayers and those interested in these matters we shall bring it all together in one volume. That is the only question presented.

Mr. TAYLOR of Tennessee. I am in complete sympathy with the proposal, but I wondered if it also contained decisions of the courts on questions arising from these various laws.

Mr. COOPER. No. I may say to the gentleman it only applies to the statutory law and is a compilation of the internal revenue statutory laws. It does not in any way change or seek to change any existing internal revenue statute.

Mr. MICHENER. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Michigan.

Mr. MICHENER. Is this a codification or a compilation?

Mr. DOUGHTON. This is a codification.

Mr. MICHENER. If this is a codification, then the gentleman who just spoke used unfortunate language, because a codification puts together the main substance of the laws and strikes out parts that have been repealed by implication or by direction. If it is a compilation it means nothing more or less than putting in one volume the laws verbatim as they are found as originally passed.

If it is a codification, the judgment of the codifier writes the new law. Codification may change the wording of the original statute.

This House has never before considered a codification more important, and we are making this absolute law. When we passed the United States Code, it was up here for years and years with various committee staffs working on the matter, and I say, and I think anyone familiar with the situation knows, that no committee staff is capable of codifying the law. We found that out in consideration of the code. We first made it *prima facie*. We should do that here.

Mr. DOUGHTON. I did not yield to the gentleman for a speech. I yielded to him for a question.

Mr. MICHENER. The gentleman has an hour. How much time will he yield to me?

The CHAIRMAN. The Chair may say if there is any minority member of the Committee on Ways and Means opposed to the bill, the Chair will recognize such member for 1 hour.

Mr. TREADWAY. Mr. Chairman, as the ranking minority member of the Ways and Means Committee I may say that the minority members of that committee are in favor of this codification. I would be very glad, however, to accept the assignment of the hour and distribute it to those Members who may be opposed to the bill.

The CHAIRMAN. The Chair will recognize the gentleman from Massachusetts [Mr. TREADWAY] for 1 hour.

Mr. DOUGHTON. Mr. Chairman, may I clear up the matter of time. If it is agreeable, I will yield 20 minutes of my hour to the gentleman from Massachusetts to dispose of as he may see fit.

Mr. TREADWAY. I will take my own time under the Chairman's ruling.

Mr. DOUGHTON. Will the gentleman yield to Members on that side?

Mr. TREADWAY. Yes.

Mr. HOUSTON. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Kansas.

Mr. HOUSTON. Has the Treasury Department, the Department of Justice, and the Internal Revenue Department approved this proposed codification?

Mr. DOUGHTON. This codification was prepared and the work done by the staff of the Joint Committee on Internal Revenue Taxation in cooperation with the Treasury Department officials and officials of the Department of Justice. I am assured that the Treasury Department officials are satisfied and that they are favorable to it and have no objection. I have here also a letter from the Assistant Attorney General expressing approval of it, and I shall ask the Clerk to read that a little later.

Mr. HOUSTON. That is all I wanted to know. I thank the gentleman very much.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from New York.

Mr. CELLER. I notice on page 3 of the report a statement indicating the elimination of obsolete matter in these various internal-revenue laws.

Mr. DOUGHTON. Nothing has been eliminated that has not been specifically repealed, or has become inoperative. Of course the numerous provisions of law relating to back taxes have not been incorporated into this code, but the code does not repeal these provisions or in any manner disturb them.

Mr. CELLER. I am with the chairman and with his committee.

Mr. DOUGHTON. I thank the gentleman.

Mr. CELLER. However, I should like to get an expression, in order to clear up a question in my own mind, of whether or not this obsolete matter and these temporary provisions were omitted, and who determined whether they were obsolete or whether they were temporary. Was the determination made by the committee or was it made primarily by the Treasury experts, in whom I have the greatest confidence, I may say.

Mr. DOUGHTON. It was done by all parties.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Tennessee.

Mr. COOPER. Those provisions are not eliminated or not repealed by this law. Where there is a provision by means of which a limitation is imposed or where a law has been repealed it is simply not brought forward as the law in this volume.

Mr. CELLER. Was it clear the provisions were obsolete or was an investigation made to determine whether a particular provision no longer did apply?

Mr. COOPER. No; it is my understanding the provisions of the statute in question itself determine that; in other words, if a provision expires by the provision of the statute itself, it clearly is no longer operative.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. I wish to commend the Committee on Ways and Means for bringing in this bill. I have had occasion during my service in Congress to receive frequent letters from people in my district who desired information and pamphlets with respect to laws governing Federal taxes, and I have had to advise them that such laws are scattered in numerous volumes and that I was unable to furnish them.

Only a few days ago I had an illustration of this situation. A man in my district improperly paid a tax he did not owe because he did not have access to the tax laws with reference to social security. I believe it is a real duty the Congress owes the American people, in view of the large number of taxes we have, to codify these tax laws in one volume. I suggest to the Committee on Printing that when this bill becomes a law, as I am sure it will, copies of it be printed as a public document so they may be available to the people of the United States.

Mr. DOUGHTON. I thank the gentleman for his observation.

Mr. MASSINGALE. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Oklahoma.

Mr. MASSINGALE. If I correctly understand this proposition, the object is simply to make this compilation prima facie evidence of the law.

Mr. DOUGHTON. Oh, no.

Mr. MASSINGALE. What is it?

Mr. DOUGHTON. This is intended to be absolute law, not prima facie evidence of what the law is. If it were the latter, the situation would not be any better than it is now. This is a matter of absolute law, as the matter contained in the different volumes from which this is compiled is absolute law.

Mr. MASSINGALE. It is law anyhow.

Mr. DOUGHTON. It is law anyhow, but one cannot find out what is the law without reading through the 35 volumes to find out whether or not a certain provision may have been repealed.

Mr. MASSINGALE. In my opinion, if you want to use this compilation as prima facie evidence of the law, it will not hurt anybody.

Mr. DOUGHTON. That is not the purpose of it, I may say to the gentleman.

Mr. MASSINGALE. Making up this compilation does not make it law.

Mr. DOUGHTON. This just consolidates and codifies the law into one volume.

Mr. MASSINGALE. It would be worth nothing—and I am just giving my own judgment about it—unless it were made prima facie evidence of the law.

Mr. DOUGHTON. Is prima facie evidence stronger than the law itself? I never understood that before.

Mr. MASSINGALE. We already have the law.

Mr. DOUGHTON. I never understood that prima facie evidence was stronger evidence of what the law is than the law itself.

Mr. MCCORMACK. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Massachusetts.

Mr. MCCORMACK. It is interesting to know that the last time we had codification of the internal-revenue laws was in 1874. If we placed a provision in this bill stating that this particular act would be only prima facie evidence of the law, we might just as well not pass it at all. We might just as well let the law remain as it is and let the lawyers wade through all these volumes. I happen to be a lawyer. It is a

good thing for the profession to have all these books, but it is not a good thing for the businessmen of the country. We are trying to simplify these laws, but it seems to me if we are going to have a compilation as distinguished from a codification, I should vote against it. I would not have voted for such a bill in committee. There are 25 members of the Committee on Ways and Means, 10 Republicans and 15 Democrats—and this bill was reported out unanimously.

I respect the observations of my distinguished friend the gentleman from Michigan, and I may say they are pertinent observations, but I assure the gentleman his alarm is unnecessary. Care has been taken in the preparation of this codification. The only way to carry out this purpose is to codify these laws. Then when you or I introduce a bill or when we seek to offer a minor amendment to existing law we have got to make a citation to anywhere from three to a dozen statutes if we are only changing one word. This represents expense to the taxpayers and work on our part. Furthermore, when this codification is made all we have got to do is to amend this measure. The law books we have here continue to be existing law, and our action here today will only apply in the future.

This is a good proposition from a business angle. It simplifies the laws and is in the best interest of the country, and it is in the best interest of business that we met this problem instead of joshing ourselves about a mere compilation. It is much better that we put through a codification. Every State in the Union codifies its laws approximately every 20 years, and we have not codified the internal-revenue laws since 1874.

Of course, there may be a few minor mistakes. This is bound to occur, but the broad thing to do is to accomplish our present purpose and simplify the law for the benefit of the businessmen and the taxpayers of the country.

Mr. DOUGHTON. I thank the gentleman for his observation, which contains statements I had in mind.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield for a suggestion?

Mr. DOUGHTON. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. I read in the report that amendments are often involved and obscure. I also read that the work has been done in the Treasury Department or, rather, reviewed in its entirety by officials of the Treasury Department and the Attorney General's office. The gentleman can assure us, can he not, that all these determinations, as well as the language used in the codification, might well be considered as having been determined in behalf of the Treasury as against the taxpayer when there was any such determination to be made?

Mr. DOUGHTON. No such assumption is warranted.

Mr. GIFFORD. Is not that a fair assumption? Were there any on this committee who, you might say, were represented by counsel—any with a view to protecting the taxpayer?

Mr. DOUGHTON. That was the duty of the staff of the Joint Committee on Internal Revenue Taxation. That was their function, of course, and that is what they were doing all the time.

Mr. GIFFORD. It was done by the council?

Mr. DOUGHTON. Not the council but by the staff.

Mr. GIFFORD. Did the gentleman himself go through these volumes?

Mr. DOUGHTON. No; and neither would the gentleman from Massachusetts do it if he lived a thousand years.

Mr. GIFFORD. Were the people properly represented on that council, because we know the attitude of the Treasury always when it comes to a decision between the Treasury and the people?

Mr. DOUGHTON. Just as well as the people ever could be represented. I do not know what further safeguards could have been taken or what further precaution exercised than were taken or exercised in the preparation of this codification of the various laws.

Mr. GIFFORD. I once had a little experience in the codification of some laws in my State. The committee ap-

pointed to codify those laws, when they completed their job, told me how many liberties they took with respect to phraseology and also told me of the changes they made which would probably pass unnoted.

Mr. COOPER. Mr. Chairman, will the gentleman from North Carolina yield?

Mr. DOUGHTON. I yield to the gentleman from Tennessee?

Mr. COOPER. We have this simple situation here. Along about 1930, under the direction of the Ways and Means Committee, the staff of the Joint Committee on Internal Revenue Taxation—

Mr. GIFFORD. I know about that.

Mr. COOPER. They were all employees of the Congress, and they began this work of simply copying existing internal-revenue statutes and bringing them together. After they had worked for years and had completed this work, not changing a single word of existing law, only actually copying existing statutes and bringing them together, and after analyzing every word of this work and after they had reached the conclusion it was correct in every respect, then the committee took the matter under consideration. After this it was referred to the Treasury Department and the Department of Justice simply for the purpose of having their attorneys likewise comb it over and see whether they could find any mistakes whatever in the copying of these existing statutes.

Some 25 or 30 lawyers worked practically all summer in the Treasury Department and, likewise, quite a number in the Department of Justice, and they here present satisfaction with the work.

Mr. GIFFORD. I appreciate the fact that this work has been done, I do not criticize it, but amendments or phraseologies are often involved and obscure. Somebody has to make them plain and relieve the obscurity, which is acknowledged.

Mr. DOUGHTON. Amendments? You would have to search through all of these volumes to find the amendments. What procedure would the gentleman suggest that is better than what we have done? This has already cost the Government thousands of dollars. What has been done has been done as thoroughly as possible. What other procedure would the gentleman suggest?

Mr. GIFFORD. I wanted to make sure that there were attorneys for the people there and not all representatives of the Treasury. [Laughter.] Oh, I think that is a fair statement. The Treasury gets all the money that it can and would resolve language of statutes in its favor when possible.

Mr. COOPER. And whom does the gentleman think that we represent?

Mr. GIFFORD. We represent the people, but we delegated that job.

Mr. DOUGHTON. Mr. Chairman, I have here a letter from the chairman of the Committee on Federal Taxation of the American Bar Association, which I think will answer the inquiry of the gentleman from Massachusetts, and I ask unanimous consent to have it read.

The CHAIRMAN. Without objection, the Clerk will read the letter.

There was no objection, and the Clerk read as follows:

AMERICAN BAR ASSOCIATION,
STANDING COMMITTEE ON FEDERAL TAXATION,
January 24, 1939.

HON. ROBERT L. DOUGHTON,
Chairman, Ways and Means Committee,
United States House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: An examination of the codification of the internal-revenue laws as prepared by the staff of the Joint Committee on Internal Revenue indicates that a highly sensible idea has been brought to a most satisfactory fruition.

Unless one has had experience handling questions which involve the statutes treating with our internal revenue for a span of years (not at all an unusual experience in tax disputes), he can have little idea of the difficulty of achieving certainty as to what the applicable statute law is. If for taxpayers and their counsel these difficulties and uncertainties can be eliminated, the reduction of expense of tax controversies and even the elimination of such controversies should be greatly furthered.

Not only does it seem highly advisable that this painstakingly prepared codification should be enacted into law, but it should be apparent that the sooner such action is taken the more beneficial will be the effect, particularly in the consideration of any revenue legislation during the present session of Congress. An intelligent consideration of any proposal for change would seem to require an assured knowledge of the law which it is proposed to change.

Expressing the hope that this hardly controversial proposal will be enacted into the law promptly, I am

Sincerely yours,

GEORGE M. MORRIS.

Mr. DOUGHTON. Mr. Chairman, I also send to the desk and ask to have read a letter from James W. Morris, Assistant Attorney General.

The CHAIRMAN. Without objection, the Clerk will read the letter.

There was no objection, and the Clerk read as follows:

LETTER TO THE CHAIRMAN FROM JAMES W. MORRIS, ASSISTANT ATTORNEY GENERAL

DEPARTMENT OF JUSTICE,
Washington, January 18, 1938.

Hon. R. L. DOUGHTON,
Chairman, Joint Committee on Internal Revenue Taxation,
Room 1336, House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN DOUGHTON: I am in receipt of your letter of January 15, 1938, requesting the views of this office relative to the proposed codification of internal-revenue laws and the enactment of such codification into law. In your letter you quote the statement contained in the report of the subcommittee of the Committee on Ways and Means of January 14, 1938, dealing with this proposal.

The Tax Division of the Department of Justice, in the performance of its function of handling revenue litigation, has been impressed with the need of a codification of the revenue laws which will be recognized as the law rather than as being merely *prima facie* evidence thereof. We believe that much confusion exists by reason of the number of revenue acts, containing in many instances the same basic provisions, to which reference must be made in the handling of cases arising under the various acts. This confusion constitutes a burden for courts and counsel alike.

Also, several of these statutory provisions were amended by Executive order. Since the changes thus made have not appeared on the face of the statutes, it has been necessary to refer to the Executive order to ascertain the nature and extent of these changes. I am glad to see that this situation has been taken care of. It will also be helpful and lessen confusion.

It is the opinion of this office that the enactment of a codification of the revenue statutes will be a definite step toward clarity, certainty, and simplicity. Such a codification will bring the substantive and procedural provisions together and will be most helpful.

In doing this work I feel that the staff of the joint committee has made a valuable contribution to the tax law which will be a substantial aid to this Division in the handling of litigation involving Federal revenue.

Very truly yours,

JAMES W. MORRIS,
Assistant Attorney General.

Mr. DOUGHTON. Mr. Chairman, we feel that this bill that we are presenting to the House is as nearly perfect as it is humanly possible to make it. We feel that it will be a valuable contribution to the taxpayer, to the courts, and to the lawyers, and to those who administer our tax laws. I feel that the bugaboo of errors, which can always be raised, should not deter us from doing our manifest duty in this very important matter.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. CELLER. Will the gentleman say a word about whether or not there are any saving clauses in the statute in respect to pending cases?

Mr. DOUGHTON. Oh, this does not apply to pending cases at all.

Mr. Chairman, I reserve the remainder of my time, and I ask the gentleman from Massachusetts to use some of his time.

Mr. TREADWAY. Mr. Chairman, first, in reply to the inquiry made by the gentleman from Massachusetts [Mr. GIFFORD] about the protection of the public in this matter: We have in Congress a Joint Committee on Internal Revenue Taxation. I have been a member of that committee since it was originated, and the gentleman from North Carolina [Mr. DOUGHTON] also has been. We have employed ever since it originated a most efficient staff. The head of that staff up to last year was Mr. Lovell H. Parker, than whom there is no

greater tax expert in the country, in the opinion of the Committee on Ways and Means. He had under him, as counsel to the joint committee, Mr. Colin F. Stam; and when Mr. Parker resigned from his position, Mr. Stam was unanimously elected by our joint committee to take his place. Therein is the security of the public, that men of such high type as these employees and the persons under them have done the manual work, the actual physical work of codifying the laws on taxation. As much of a partisan as I am, and I am proud of the fact that I am a partisan, and I have made that statement a good many times on this floor and I repeat it—as much of a partisan as I am, I cannot conceive of anyone endeavoring to cover up or hide or prevent a proper classification and codification of anything as complicated as the tax laws. One of the reasons for starting the joint committee was an effort to simplify the tax laws. I am afraid that we have not accomplished our purpose very soundly in that respect, but nevertheless we are doing it now. As my colleague from Massachusetts [Mr. McCORMACK] said, to think that an ordinary man, in order to know that he is right, that he has the right law, must go through 34 volumes, such as are on the table, seems absurd to me; and while I appreciate the attitude of lawyers wanting to be certain that everything is properly done, I cannot see why we should not accept this effort at simplification through the method of codification, and I ask my colleagues on the majority side if that is not exactly what our Committee on Ways and Means is endeavoring to do. It is simply to simplify these complicated tax laws, and they will be complicated when this codification is passed, but certainly if I am any judge of professional ability, men who will have the interpretation of the law and be employed as counsel will appreciate the effort that is contained within these 500 pages, in having 500 pages to consult rather than 35 volumes. Am I correct?

Mr. DOUGHTON. The gentleman is absolutely correct. The primary purpose of this work is in the interest of the taxpayer, to simplify the matter so that it will be more readily understood by him, so that we will not have to employ so many expensive lawyers and then finally know exactly what his duty is in making out his income-tax return.

Mr. TREADWAY. Before yielding to the gentleman from Kentucky [Mr. ROBSION] I would like to add one further remark having to do with the correctness of this report. You have not only the experience of this very efficient staff of the joint committee, but you have the approval of the Department of Justice, as expressed in the letter that has been read from the Clerk's desk. There was some little complication or unfortunate circumstance that prevented a definite approval by the Treasury Department, but we are assured that the Treasury Department likewise approves this effort at codification.

When you have your legal profession itself, when you have the departments of government who will have the law to enforce, when you have the word of such a group of men as the staff of the joint committee, and with every interest protected, both for the individual citizen and taxpayer and the council of interests, it does not seem to me possible that there should be any serious objection to this codification.

I realize I am speaking somewhat at a disadvantage, not being a lawyer myself, but I think I am using a little common horse sense, such as we are taught down in New England where I am proud to have come from. Therefore, I take at full measure value this compilation as having been honestly, carefully, and sincerely prepared by efficient people to become the codified tax laws of the country.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. I wish to compliment the efforts of the committee to simplify the revenue laws of the United States. I am wondering, however, if this codification has gone further than striking out obsolete statutes or laws. Has there been any restatement of the law?

Mr. TREADWAY. Let me see if I cannot answer the gentleman in this way: When the Ways and Means Committee heard the staff in connection with whether or not this bill should be reported, the distinct question was asked whether there was any change in law, and if there were any inconsistencies, as one of our members spoke of at the time. Those inconsistencies were not obliterated. That is my judgment of it.

Mr. ROBSION of Kentucky. Now it is claimed that this is a recodification of the law. That would indicate that there must have been some changes. Otherwise it might be merely called a compilation or bringing together of various laws. Now, I am calling attention to this language in the report:

It was, therefore, made only prima facie evidence of the law, and scrutiny of it was invited for the purpose of correcting errors, eliminating obsolete matter, and restatement.

Now, I understand you have eliminated obsolete statutes. What does that mean? Is it a restatement? Does that mean that these master minds, or these very highly efficient lawyers, have taken the internal-revenue acts or statutes and have restated them with the idea of making them clearer or more easily understood, or is there any restatement at all? Are the statutes copied exactly as the Congress passed them?

Mr. TREADWAY. My understanding is that the statutes were copied exactly as they were in those 34 volumes. It simply puts them all in one volume of 500 pages. There has been no change of any kind as far as the organic law is concerned.

Mr. DOUGHTON. I might say it means that laws that were temporarily enacted were no longer in force, and those have been left out.

Mr. ROBSION of Kentucky. Now, that is what I mean. You have eliminated the laws that have expired, but which are carried in those volumes? They are left out?

Mr. TREADWAY. The gentleman has properly stated the fact.

Mr. ROBSION of Kentucky. Does the gentleman from North Carolina and the ranking minority Member say to the House that no words have been added and no words have been taken from the statutes?

Mr. DOUGHTON. Absolutely, unconditionally, without any qualification or equivocation, there has been no change in the law.

Mr. TREADWAY. The only qualification would be a human error unintentionally made.

Mr. ROBSION of Kentucky. With that idea in mind I shall support it, and I think this Committee deserves the thanks of the House for having presented such a splendid bill to the House.

Mr. DOUGHTON. I thank the gentleman.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I yield.

Mr. GIFFORD. I do not want the last gentleman's question to be answered that way. The gentleman from Kentucky knows that there must have been obscurity and involvements and contradictions, as they say there were. When you recodify laws you have to make language plain and resolve into language a definiteness understandable.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I yield.

Mr. ROBSION of Kentucky. We have the statement from the chairman and the statement from our colleague from Massachusetts [Mr. TREADWAY] that no word has been added and no word has been taken from the law.

Mr. GIFFORD. Oh, that is not possible. They must interpret somewhat at least in a codification of these laws.

Mr. ROBSION of Kentucky. No. They say the text remains as it was.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Tennessee.

Mr. COOPER. Unfortunately I think the distinguished gentleman from Massachusetts [Mr. GIFFORD] misapplies the term "obscurer." It is not used here in the sense that there

is anything obscure in the wording of the statute. The obscurity arises by reason of being distributed through all these 34 volumes. It is obscure in the sense that it is tucked away somewhere in some of these books; not that there is any obscurity about the language itself, once you are able to find it. The obscurity is in being able to find the statutes and provisions.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Yes; briefly.

Mr. GIFFORD. Taxpayers constantly come to us having sought redress in the courts, and often the Treasury withdraws without carrying the case further because they often simply try to make collections if the taxpayer would prefer to pay rather than resort to the courts. This is not a partisan statement. I trust the gentleman will not consider that. I think I ought to know that in the codification of law, as I have seen it performed before, that there must be some new wording, new explanations, and new definitions applied to relieve "obscurities." It does not seem sensible that they could simply take out obsolete things and place verbatim new legislation in view of the statement they make themselves. I shall vote for it. It is badly needed; but I simply inquired whether the taxpayers themselves were properly represented, as the Treasury seems really to have the last word on this matter. That is all.

Mr. TREADWAY. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. Wolcott].

Mr. WOLCOTT. Mr. Chairman, I probably am to blame for this controversy today in that I objected to the passage of this bill by unanimous consent when it was requested by the worthy chairman on Monday. I did so, however, to bring out this discussion, and I think it is a very healthy thing for the country and for this Congress that we do have this discussion with respect to this proposed code.

I was not opposed to the code when I objected. I am not opposed to it now. I do know, however, that there are opportunities in the codification of laws for almost endless litigation. Many of the States have had this experience in years gone by when they have turned the codification of their laws or any group of their laws over to so-called experts. I wanted to determine definitely that the matter set forth in this code clearly reflects the intent of this Congress. In looking over the code I believe the committee and the experts have done a very fine job, but even in glancing over it as hastily as I have—and I was not able to get a copy of the bill until this morning—certain questions have arisen which I think should be clarified. Because some questions have arisen, there might, of course, be many more; and I hope that the committee today will take all of the time which is allotted to it to try to answer any questions which have arisen with respect to the code.

We must take into consideration the fact that when we pass this bill we repeal—not by implication but we specifically repeal—all internal-revenue acts passed previous to the date of the enactment of this bill. An attempt is made to safeguard those acts which are not included by a saving clause, the effect of which is somewhat doubtful, in my mind. We find on page 1 of the bill, however, the following language:

In furtherance of that purpose, all such laws and parts of laws codified herein to the extent they relate exclusively to internal revenue, are repealed, effective, except as provided in section 5, on the day following the date of the enactment of this act.

Section 5 merely points out that any provision of law in force on the 2d day of January 1939 corresponding to a provision contained in the internal revenue title shall remain in force until the corresponding provision under such title takes effect.

There is a great deal of doubt in my mind as to whether this language accomplishes the purpose of the committee. Probably if it does not a later session of Congress may remedy the defect. I know it is the purpose of this code to include everything in respect to internal-revenue laws and all other revenue laws. We must proceed rather cautiously, because it must be remembered that the power to levy taxes

carries with it the power to coerce, regulate, and destroy. It was because of this that I was insistent that we give a little more consideration to this particular bill.

On page 32 of the draft I find at least an implication that all existing law has not been included in this code, nullifying somewhat the intent of the committee to facilitate the interpretation or the use to which the tax laws are put. Section 61 provides:

All administrative, special, or stamp provisions of law, including the law relating to the assessment of taxes, so far as applicable, shall be extended to and made a part of this chapter.

This does not obviate the necessity of a lawyer searching, and searching, and searching through perhaps not only these 34 volumes which are on exhibit at the chairman's desk, but also through many other laws. If this were a codification in the true sense of the word, all of the laws applicable to this particular subject would be brought together between the two covers of this document. It would, of course, include the regulations, the administrative, special, or stamp provisions of the law as referred to in section 61. There is at least this deficiency which should be called to the committee's attention and to the attention of the lawyers and courts who will have to do with the interpretation of this act, and to the Congress; because, it should not be presumed from any statement made on this floor that this law when enacted is an embodiment of all of the laws affecting our taxes.

I think the committee and the experts have done a reasonably good job. I do not think that any charge should be made against the committee or the experts that they have willfully, maliciously, or intentionally done anything which they should not have done in the codification of these laws.

Mr. BULWINKLE. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. BULWINKLE. Speaking of section 61, page 32, is not that same provision in the Revenue Act of 1938?

Mr. WOLCOTT. It might be; but if the gentleman will indulge me, the regulations referred to in that section are not in the Revenue Act of 1938 as I understand it. Instead of being written into this act by reference they should be written into it actually, if this is to be a complete codification of all internal-revenue laws. That is my point.

Mr. BULWINKLE. All administrative, special, or stamp provisions of law are a part of the revenue act anyhow. They are all in the code.

Mr. WOLCOTT. Will the gentleman, then, in order to clarify that particular section, for the purpose of the record and in order that the Congress may have the benefit of the gentleman's views of the interpretation of the intent of Congress, point out on the record where in this bill the administrative, special, or stamp provisions of the law are included?

Mr. BULWINKLE. I will leave that to one of the members of the committee.

Mr. WOLCOTT. Mr. Chairman, emphasis has been placed on certain things.

Mr. BULWINKLE. Just a minute.

Mr. WOLCOTT. May I go on?

Mr. BULWINKLE. I want to show the gentleman where it is.

Mr. WOLCOTT. All right.

Mr. BULWINKLE. It is on page 435, one of them, the general administrative provision.

Mr. WOLCOTT. I am not going to take the time, nor have I the time, of course, to check up to see if they are all in here. I hope they are, but I do not want the courts or any other lawyer who has to do with this bill to rely solely on the statements made here that they are all included.

In this bill, emphasis has been placed on certain provisions of the revenue laws. I think we must bear in mind that this bill is not only prima facie evidence of the law but is the law itself. In the case of any error on the part of the Government Printing Office in printing a copy of the act, that copy is the law regardless of anything to the contrary. Now, that is not good legislation. It is not good

legislation to tie the hands of our courts so that they have to take a copy of an act printed by the Government Printing Office as absolute proof of law. That is a denial to the judicial branch of our Government of the right to go behind the law and to determine legislative intent.

Mr. DOUGHTON. Will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from North Carolina.

Mr. DOUGHTON. Of course, that is true of any law we might enact in the future. In the case of error, it would be the duty of the Congress to correct the mistake by amending the law as soon as it was discovered.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield the gentleman from Michigan [Mr. Wolcott] 3 additional minutes.

Mr. WOLCOTT. Mr. Chairman, I stated that particular emphasis had been placed on certain law. If this bill is an embodiment of all laws having to do with the raising of revenue, why is it necessary to reenact subsection (e) of section 4 having to do with the publication of returns by corporations and individuals?

Mr. BUCK. Will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from California.

Mr. BUCK. May I explain to the gentleman that the provisions to which he has referred, the repeal and savings provisions, have been copied directly from the bill which enacted the Revised Statutes of 1874. The exact language has been used, because that has already been construed by the courts and has a definite meaning.

Mr. WOLCOTT. I assume the gentleman means the act of 1874 as amended, because I do not think the act of 1874 authorized the publication of income-tax reports.

Mr. BUCK. May I call the gentleman's attention to section 8 of the bill, to which he referred a few moments ago, which is also copied from the Revised Statutes of 1873, the act creating the Revised Statutes.

Mr. WOLCOTT. That is not consistent, then, with the statement made by the chairman of the Committee on Ways and Means a few minutes ago that the existing revenue acts are prima facie evidence only. The gentleman from North Carolina made the statement awhile ago that because we were trying out the advisability of continuing these tax laws all tax laws up to the present time have been prima facie evidence of the law; that because we had tried them out and had found them to be all right, we write this section in here which makes a copy of this act printed by the Government Printing Office and bearing its imprint conclusive evidence of the original Internal Revenue Code in the custody of the Secretary of State. I think if that provision of the law does exist it should be corrected as we codify. I merely want to bring up these questions that I know are the subjects of concern because I appreciate the committee will contribute a great deal if they will clarify and clear up some of them.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. Michener].

Mr. MICHENER. Mr. Chairman, I cannot discuss this matter intelligently, nor can any other man in this body discuss the matter intelligently, unless has been a member of the committee and knows something about it. So far as the objective is concerned, we are all for that. I am a little surprised that the lawyers of the committee, however, should bring in as exhibit 1, 35 volumes of existing law and lay those upon the table and give that as the reason we should accept a bill which contains hundreds of pages without reading it and without knowing something about it simply because we want to make the law more accessible. As I stated before, we are all for the objective of the committee. If you can simplify and codify laws, so much the better. If all the laws of the land could be written into a 1,000-page volume, we would all be much better off, but that cannot be done.

Mr. Chairman, with this bill before us today there is an effort to rewrite—and I use the word "rewrite" advisedly—all the laws affecting our Federal tax system. As pointed out by the gentleman from Michigan [Mr. Wolcott], not only is

what you have presented in this volume to be the absolute law—not prima facie law—but also all administrative—and I emphasize that “also all administrative”—“all administrative, special, or stamp provisions of law, including the law relating to the assessment of taxes,” and so forth, are included in this bill. All rules and regulations which are now law are to become a part of this new law. That is just one of the little things.

Of course, this bill will pass, but you will be back here correcting it. I call attention to that in order to point out the danger of passing legislation of this type without adequate consideration. Why make it absolute?

Mr. BUCK. Will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from California.

Mr. BUCK. Where does the gentleman from Michigan find anything in section 61 that refers to rules and regulations being enacted into law?

Mr. MICHENER. It says “all administrative, special, or stamp provisions of law”——

Mr. BUCK. Of law.

Mr. MICHENER. “Including the law relating to the assessment of taxes, so far as applicable, shall be extended to and made a part of this chapter.”

Mr. BUCK. I think the gentleman has made that clear now by reading the entire section to the Members. We are not enacting into law any rules or regulations, merely reenacting all existing provisions of administrative, and so forth, law as it exists at the present time.

Mr. MICHENER. The gentleman will find in the 34 volumes before him statutes making certain rules and regulations of the department law, and by this bill you say that these statutes or laws are reenacted. The result is that some things not included in this bill are by reference made law.

I am not criticizing the committee. I feel safe in saying that my good friend the gentleman from Massachusetts [Mr. TREADWAY] is for this bill, and is honestly for it. The gentleman from Massachusetts is a splendid member of the committee. He is a splendid legislator and businessman. He is a splendid hotel man, but he does not know anything about revision of the laws. I can go down through the roster of the committee and show you that you will find a great many persons on the committee who are splendid men in their lines, they are good legislators, but they do not know anything about revising the laws. When you come to the technical job of codifying the law it cannot be done by businessmen as businessmen and it cannot be done by physicians as physicians, or dentists as dentists, or by lawyers without experience. There are certain people who are qualified to do this kind of work. I am not qualified to codify the law, although I am a member of the bar. It takes experts to do that work.

Mr. DOUGHTON and Mr. BULWINKLE rose.

Mr. MICHENER. I should like to get through, but if the gentleman from North Carolina [Mr. DOUGHTON] has a contribution to make, I should be pleased to have it.

Mr. DOUGHTON. If the gentleman will look into the matter, he will find that the language he is criticizing is an exact copy of that used in section 61 of the law of 1933. It is an exact copy of what is already in the law. There is no change whatever.

Mr. MICHENER. Exactly?

Mr. DOUGHTON. What would the gentleman have us do if we did not copy it exactly?

Mr. MICHENER. If you are going to codify and place all the law on the tax question in one volume, you must write every rule and every regulation having the force of law affecting the matter into that volume or you have not lessened the task of the man who wants to know what the law is or what the rules and regulations are, because if this bill makes reference to other law, you have to go to that other law just the same in order to know what all the law is.

Mr. DOUGHTON. The gentleman makes a distinction without a difference. The gentleman is straining at a gnat.

Mr. MICHENER. This same question arose when the United States Code was up for consideration. You remember that down through the years we were trying to codify the

law. Several committees were set up to study the codification of the law. They worked for years, they worked for a decade with the staff their committee employed. It was a splendid staff for committee work, but the members of the staff were not qualified as experienced codifiers. Finally a bill like this was brought in and the House passed it, as you are asking that this bill be passed. It went over to the Senate and it was found the bill was so full of holes we were all ashamed that we had ever voted for it. It had the same consideration in this House now being given this measure. We should profit by experience. We have plenty of time. There is nothing to do the rest of the week. Why not put this off for a couple of days? A number of our new Members are outstanding lawyers and might be of much help in putting together these old statutes. They could at least have an opportunity to point out any errors.

Mr. BULWINKLE. Mr. Chairman, will the gentleman yield?

Mr. MICHENER. Not just now.

Mr. BULWINKLE. I have been earnestly beseeching the gentleman to yield.

Mr. MICHENER. I yield for the gentleman, but then I shall have to ask for additional time.

Mr. BULWINKLE. The gentleman knows that in the code we adopted, which is prima facie evidence, and which was drafted by the legal staff of the West Publishing Co. and the Edward Thompson Co., in connection with the provisions regarding the Interstate Commerce Commission, the Federal Trade Commission, and other commissions of the Government, we gave the force and effect of law to the rules and regulations of such commissions, and that has been done in every bill that has ever passed this House.

Mr. MICHENER. I thank the gentleman. The gentleman states the West Publishing people did the work, and that is true. We tried for years to accomplish it by the means you are attempting to use here. We finally secured the experts and the work was well done and for less money.

Mr. BULWINKLE. I was one of those who got the services of the West Publishing Co. and the Edward Thompson Co.

Mr. MICHENER. The gentleman deserves a lot of credit, and I give it to him. He was on that committee. For years they tried to get somewhere, but everything they brought in here was so imperfect it just could not be used. The committee meant all right, but it just was not correct. Finally the committee employed experts and the code today is the result of the work of those experts.

The Committee on Revision of the Laws, of which I am a member, now has another revision of the United States Code under consideration. If I have my way about it we are not going to do the work with any committee staff, and we will not bring a revision of the laws before this House unless it is prepared by experts. It can be done just as economically by experts as it can be done by committee staffs, regardless of who they are. I am sure the Committee on Ways and Means has a splendid staff, and there is none better in the House, but they are not experts on this kind of work. They have had no experience. This matter is too important to act hastily.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from Tennessee.

Mr. COOPER. In direct reference to the statement made by the gentleman in regard to the present code, I may say the present Committee on Revision of the Laws took the work of this staff and included it in the present code on the internal-revenue laws. They set aside their own work and took the work of this staff. It is in there today.

Mr. MICHENER. I cannot yield further.

I have not read this bill. No one else has, except maybe one or two members of the Committee on Ways and Means, and I doubt if the chairman of that committee himself has read this entire bill through. I doubt if any other member of the committee has read it through.

Mr. DOUGHTON. Mr. Chairman, will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from North Carolina, the chairman of the committee.

Mr. DOUGHTON. If I had read it I could only have done it hurriedly, and I have not the confidence in my own reading that I have in the reading and rereading done by the staff a dozen times and the checking of this bill by the experts of the Treasury Department and the Department of Justice. Neither has the gentleman.

Mr. MICHENER. But—

Mr. DOUGHTON. Would the gentleman himself be satisfied with his own reading of it?

Mr. MICHENER. I do not want to yield further, Mr. Chairman. My time is about up.

Mr. DOUGHTON. I would be willing to take the gentleman's reading of it if he would certify it is absolutely correct. I do not believe the gentleman would have confidence in his own reading, or as much confidence as he would have in the reading of our staff, who read it and reread it. The experts in the Treasury Department have read it and reread it and checked it for 6 months, and I would put that far above any reading I could do.

Mr. MICHENER. The gentleman concedes that no one has read the bill. I have the utmost confidence in and respect for the chairman, but why cannot we be given a few days to at least casually examine the bill? Possibly all will not read all of the bill but some will give it study.

We have gone since 1874, the gentleman from Massachusetts tells us, without rewriting this law, and then it is brought before the House and we are asked to pass a new tax law without reading it, and by unanimous consent. Of course, objection was made to passing this law by unanimous consent without reading it and without knowing what is in it. So today the matter is called up without notice and we come in here to discuss this matter which is of vital importance to every taxpayer in the country, and we are asked in the name of the taxpayer to pass the bill instant.

Now, listen. It seems to me the American people have reached a stage where they want this Congress to proceed cautiously and carefully. In matters of this kind haste makes waste. If the American people ever gave the Congress a mandate, it is that we must know what we are doing; that we must not pass laws that we know nothing about, regardless of the recommendation of somebody down in the Treasury Department, in the Labor Department, or in any other department of the Government.

I stand squarely on the premise that this Congress itself, through its own agencies, should know what it is considering and should vote intelligently upon what is before it. I do not think it is a credit to the committee to come in here and say, "No; we have not read it; we do not know what is in it; we would not know what was in it if we did read it, so we left it to the committee clerk or staff."

This is the situation we find ourselves in. You have left it to the committee clerk or staff. I hope the committee clerk is right. I am sure he has done his best. This bill is going to pass the House. It may become a law, but when these errors are found—and errors will be found—then I hope, when they are found, the CONGRESSIONAL RECORD will record that some of us have risen on the floor and protested against this procedure, although we are heartily in favor of the objective. I hope those interpreting this law will read the statement of one gentleman of the Ways and Means Committee who says this is but a mere "compilation," that no changes have been made, that the purpose and intent was not to eliminate a word from existing law, and then I hope they will read the statement of the other Ways and Means Committee member who says it is a "codification," that there are changes, but that nothing material has been eliminated. Nothing material has been eliminated! Who determined the materiality? Did the Congress determine whether or not the elimination of a certain phrase was material? No; we left it to the committee clerk or staff, if you please, and then we put our stamp of approval on it without any knowledge whatever as to the facts. This bill may be all right. I hope so. The tax laws need clarifying more than they need codifying. I am

opposed to this haste. I am opposed to this procedure. [Applause.]

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. ROBERTSON].

Mr. ROBERTSON. Mr. Chairman, in answer to the last observation of my distinguished friend from Michigan, I am willing for the RECORD to show that it is my very definite opinion that if we served notice upon every Member of the House and furnished them with a copy of this bill that 6 months from now we would vote on the bill, not a single Member of the House in that time would have read it.

I would like for the RECORD to further show that if we did undertake to read this difficult compilation of tax laws we would not know whether in it were correctly gathered all the tax laws that are contained in the 35 volumes that are now before me on this table.

It is, of course, quite impracticable in a code to include departmental regulations. We already have 86 or 87 volumes of regulations. We could not put those in a code.

My friend from Michigan evidently has not read, or else he does not accept, the statement on page 3 of the committee report to the following effect:

It makes no changes in existing law.

The gentleman asks if this is a codification. Technically it is, but actually it is not the kind of codification that we are accustomed to in our State legislatures, where the codifiers eliminate inconsistencies. To that extent this is a compilation as well as a codification, because no effort has been made to eliminate any inconsistencies in existing laws. They are all here that are still in force and effect.

Now, for my friend from Cape Cod [Mr. GIFFORD], who was so fearful that we would not protect the dear people, I can say that, in addition to precautions taken by the committee to select as agents of the Congress the best experts available, I took their report last spring and submitted it to the chairman of the tax committee of the chamber of commerce, and those of you who are familiar with the work of the United States Chamber of Commerce know that that organization has a lively interest in the tax laws of the United States. I asked that expert, during the succeeding 6 months before we would bring this up for action in the House, to check through it in his leisure time; and if he could find any error in it, speaking now, of course, for the taxpayers of the country, to bring it to my attention, and he found none. Therefore, I say, Mr. Chairman, that we are fighting windmills. This is the work of experts. We have every reason to believe that it has been well done; and if it is not well done, we would not know the difference if we debated it here for the next 6 months.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. ROBERTSON. Yes.

Mr. MICHENER. If there is that doubt, what is the objection to making this *prima facie* the same as the code is today?

Mr. ROBERTSON. I have not expressed any doubt. My friend from Michigan expressed the doubt, and I have felt that he has no ground for doubt. We do not want this code to be *prima facie* evidence of the law; we want it to be the absolute law. We would not be making any substantial progress if we made it *prima facie* evidence of the law, because the lawyers would then have to go back to all of these volumes and take them into court and show them to the judge before the judge would be willing to rule on any claim made in a tax case.

Mr. MICHENER. You want to be sure that you will make H. R. 2762 the absolute law of the land, regardless of what the law is?

Mr. ROBERTSON. Oh, the gentleman begs the question. We state in the committee report, and we state it on good grounds, that the codification of H. R. 2762 makes no changes in existing law.

Mr. DOUGHTON. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. BUCK].

Mr. BUCK. Mr. Chairman, all these arguments that have been brought here today against the immediate adoption of this code were made in 1874. I take this opportunity to read what Senator Carpenter, then a Member of the Senate, said on the floor of the Senate when the revised statutes were being considered, and perhaps it is the answer to all the objections that have been made today:

The great benefit of it is that it gives us a starting point for the law, and if errors are discovered, as undoubtedly there will be more or less, they are to be corrected by subsequent legislation, and every man, every citizen, every lawyer, every judge, knows what he has got to start with to find what the law is. He is to start with that volume, and then subsequent legislation is all he has got to discover. Tell any common man in the complicated relations of official life, who is an internal-revenue collector, if you please, or has something to do with the distillery business, that he is supposed to know all the law on that subject, and it is to be found in 17 volumes, and he is to be indicted if he omits a single particular or mistakes a single provision, and he would as soon go to the insane asylum at once as attempt to wade through it. Now, then, he has got a start; he has got the statute of revision; and then he has got to look to subsequent legislation and nothing else, and is certain he has all the enactments on the subject before him.

I think that seems to be the entire case for the adoption of this code. [Applause].

Mr. REED of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. CHURCH].

Mr. CHURCH. Mr. Chairman, naturally I do not want to proceed to a vote today on a 500-page bill, when I know there have been no hearings. Certainly, there are no printed hearings available on this bill, which is of momentous importance. May I make, therefore, just one or two observations, and trust that the other body will not proceed so summarily. At the bottom of page 2 of the report of the committee I read the words of James W. Morris, Assistant Attorney General, which, in part, are as follows:

Furthermore, several of these statutory provisions have been amended by Executive order, but, since such changes have not appeared on the face of the statutes, it has been necessary to refer to the Executive orders to ascertain their nature and extent. The proposed codification will be particularly helpful in that it eliminates these sources of confusion.

It has been stated here on the floor today that this bill does not affect existing litigation. The very words of Mr. Morris embodied in this report definitely indicate that if Executive orders are in the process of litigation as to their validity, the enactment of this bill decides that question. This bill gives the Executive orders the full force and effect of absolute law. Of necessity, then, all questions as to the validity of these Executive orders are here now decided. We are being forced to take this extremely important step without being able to so much as read the bill. We are unable to consult any hearings, if any, because there are no printed hearings on this bill.

I do not question the good faith of the members of the committee. I favor the codification of laws. I believe it necessary. I was so interested in that sort of thing that I accepted membership on the Revision of Laws Committee at the last session. I am interested in that. That is a good objective. I would like to vote for this bill if I thought it had had proper consideration. I respect the judgment of every member of this committee. But it appears that the committee was limited more or less to the recommendation of 25 or 30 lawyers, appointed, if you please, none of them being the representatives of the people.

Mr. DOUGHTON. Mr. Chairman, will the gentleman yield?

Mr. CHURCH. If the gentleman will give me some more time, I will yield.

Mr. DOUGHTON. I will yield the gentleman 1 or 2 additional minutes.

Is the gentleman aware of the fact that the law provided that these Executive orders should become law unless they were disagreed to by the Congress within a certain time, which was not done?

Mr. CHURCH. But does not the gentleman know there are many cases in the courts where question of legality of Ex-

ecutive orders is being tested? There are also questions as to the confusion of laws and the overlapping of laws involved, so that the courts are being asked to construe the intent of the law, as well as the legality of these Executive orders, and for these reasons the rights of the people are involved. This absolute law which you are asking us to enact today in this fashion will settle those questions in litigation for all time.

Mr. TREADWAY. Mr. Chairman, I yield the balance of my time to the gentleman from New York [Mr. REED].

The CHAIRMAN. The gentleman from New York [Mr. REED] is recognized for 14 minutes.

Mr. REED of New York. Mr. Chairman, I have listened with a great deal of interest to the very fine addresses by those who are apparently opposed to the codification of the revenue laws.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. I yield.

Mr. TREADWAY. I think possibly that statement ought to be just slightly corrected, in that at least two of the gentlemen who have made statements criticizing the report, have said on the floor that they appreciate the work that had been done, and intended to support it; not that they were definitely opposed to codification.

Mr. REED of New York. I would rather suspect from the language that we had been damned by faint praise.

It has been stated on the floor of the House that this committee was not competent, in and of itself, because of certain professions, business, or trade in which they were engaged, to pass upon legislation in this House. Personally, I resent that so far as these men are concerned. I have been a member of this committee for some time. I know that the members of the committee go into session and consider these matters in a nonpartisan way and endeavor to bring legislation to the floor of this House in such form and for such purposes as will protect the interests of the public. Everybody on the floor of this House knows that the revenue law, scattered through a host of volumes, has been perplexing and bewildering and has bedeviled the people of this country. We have had appeals coming in here for years to simplify the revenue laws.

Only last year we had a message from the President urging the enactment of a tax law and urging the simplification of the tax law. Any Member who has been in Congress very long knows that the lawyers in the country, not always having available all of these acts, write here for information in regard to them. It is a herculean job for any man to wade through this and try to correlate the amendments.

As far as the ability of the members of this committee is concerned, what do most committees do? On matters relating to engineering or what not they call in the best talent they can get. I believe the Joint Committee on Taxation has engaged as fine a lot of experts as can be found. They are experts in one definite line of legislation, namely, the revenue laws. The lawbook companies are interested in these things, of course, but when it comes to revenue law they take the very codification of these experts that we have here. They have not found errors in them. Now, for at least 3 years these experts have been working on the codification of the revenue laws. They have gone to the Department of Justice, as has been stated here. Thirty lawyers have gone over this with a fine-tooth comb. They know something about tax laws. They have gone to the Treasury Department and they have searched carefully through this work to see if there are any errors, and they report none. Now, it is about time that instead of fussing around here we take the findings of these experts and give the people something that they want; that is, a codification that will clarify, bring into one place the laws relating to revenue. Every lawyer will throw up his hat for joy when this act is passed.

They say no hearings have been held. Why, there have been hearings on every item of the revenue law on the books that is now being codified. We are not enacting any new law.

We are here codifying laws that already exist that have been passed by the representatives of a sovereign people.

Let us for the sake of illustration take the estate-tax law alone. To find all the laws dealing with estate taxes a lawyer must wade through the following volumes—and I ask unanimous consent to insert this list in my remarks.

The CHAIRMAN. The Chair suggests to the gentleman from New York that he will have to secure that consent in the House.

Mr. REED of New York. I thank the Chairman.

Why play into the hands of a few tax lawyers whose retainers in some cases run as high as \$50,000 before they even start to work? They, of course, like to have it so that no one is infallible on tax matters except themselves, for it means money to them; but why milk the public by complicating this tax situation through our inability to act upon the work of experts who are worthy of our confidence?

Mr. Chairman, I ask unanimous consent to incorporate at this point in my remarks the names of the men who have passed upon this codification and who have told Congress that the work is well done and is accurate.

The CHAIRMAN. The Chair suggests to the gentleman from New York that he will have to secure that permission in the House.

Mr. REED of New York. I thank the Chairman.

With the passage of this act we shall have performed a monumental work in the interest of the taxpayers of the country. [Applause.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the laws of the United States hereinafter codified and set forth as a part of this act under the heading "Internal Revenue Title" are hereby enacted into law.

Mr. DOUGHTON. Mr. Chairman, I ask unanimous consent to dispense with the further reading of the bill and that the bill be not printed in the RECORD, for, as I understand, it would cost between \$14,000 and \$15,000 to print it, and copies of the bill are available to every Member of the House.

Mr. MICHENER. Reserving the right to object, Mr. Chairman, this is the second reading, or, really, the first time the bill is to be read, and there will be no further reading of the bill?

Mr. DOUGHTON. Yes; the gentleman is correct.

Mr. MICHENER. I shall not object, but I do want to call the gentleman's attention to the fact that we are passing this bill without even having it read. The gentleman from New York suggested certain men in the country were for it. We do not know who they are. He said they told him about it and he wants to put their names in the RECORD, but we do not know who they are.

Mr. REED of New York. Mr. Chairman, if the gentleman will permit, let us get the record straight. What I asked permission to put in the RECORD was the names of the experts in the various departments who checked our work and who cooperated with us.

Mr. MICHENER. The gentleman from New York said some of them were experts and that they are for it, but the House has not got that information. The House does not know who they are.

Mr. REED of New York. It is a matter of public record who these men are.

Mr. DOUGHTON. Mr. Chairman, will the gentleman yield?

Mr. MICHENER. I yield.

Mr. DOUGHTON. Does the gentleman feel that even if the bill were read it would accomplish any real purpose?

Mr. MICHENER. No. As I said a moment ago, I shall not object.

Mr. DOUGHTON. Then why did the gentleman call attention to it if he thought it would not help?

Mr. MICHENER. It is perfectly all right with me to pass it without printing.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. DOUGHTON. Mr. Chairman, I move that the Committee do now rise and report the bill (H. R. 2762) to consolidate and codify the internal-revenue laws of the United States back to the House with the recommendation that it do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BEAM, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 2762) to consolidate and codify the internal-revenue laws of the United States, had directed him to report the same back to the House with the recommendation that the bill do pass.

Mr. DOUGHTON. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. DOUGHTON. On that, Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 350, nays 16, not voting 66, as follows:

[Roll No. 7]

YEAS—350

Alexander	Costello	Griffith	Lemke
Allen, Ill.	Crawford	Griswold	Lesinski
Allen, La.	Crowe	Gross	Lewis, Colo.
Allen, Pa.	Crowther	Guyser, Kans.	Lewis, Ohio
Anderson, Calif.	Culkin	Gwynne	Lord
Anderson, Mo.	Cullen	Hall	Luce
Andresen, A. H.	D'Alesandro	Halleck	Ludlow
Andrews	Daly	Hancock	McAndrews
Angell	Darden	Harness	McCormack
Arends	Delaney	Harrington	McGehee
Arnold	Dempsey	Hart	McKeough
Ashbrook	Dickstein	Harter, N. Y.	McLaughlin
Austin	Dies	Harter, Ohio	McLean
Ball	Dingell	Hartley	McLeod
Barden	Dirksen	Havenner	McMillan, John L.
Barnes	Disney	Hawks	McMillan, Thos. S.
Barry	Ditter	Healey	Maas
Bates, Ky.	Dondero	Heinke	Mahon
Bates, Mass.	Doughton	Hennings	Maloney
Beam	Dowell	Hess	Mansfield
Beckworth	Doxey	Hill	Mapes
Blackney	Drewry	Hinshaw	Marcantonio
Bland	Duncan	Hobbs	Marshall
Bloom	Dunn	Hoffman	Martin, Colo.
Boehne	Durham	Hook	Martin, Ill.
Boland	Eaton, Calif.	Hope	Martin, Iowa
Bolles	Eaton, N. J.	Horton	Martin, Mass.
Boren	Eberharter	Houston	Mason
Boykin	Edmiston	Hull	Massingale
Bradley, Mich.	Elliott	Hunter	May
Bradley, Pa.	Ellis	Jacobsen	Miller
Brewster	Elston	Jarman	Mills, Ark.
Brooks	Englebright	Jarrett	Mills, La.
Brown, Ga.	Faddis	Jeffries	Monroney
Brown, Ohio	Fay	Jenks, N. H.	Moser
Bryson	Fenton	Jensen	Mott
Buck	Ferguson	Johnson, Ill.	Mundt
Bulwinkle	Fernandez	Johnson, Ind.	Murdock, Ariz.
Burch	Fish	Johnson, Luther A.	Murdock, Utah
Burdick	Fitzpatrick	Johnson, Lyndon	Murray
Burgin	Flaherty	Johnson, Okla.	Myers
Byrne, N. Y.	Flannagan	Johnson, W. Va.	Nelson
Byrns, Tenn.	Folger	Jones, Tex.	Nichols
Caldwell	Ford, Leland M.	Kean	Norrell
Cannon, Fla.	Ford, Miss.	Keefe	Norton
Cannon, Mo.	Ford, Thomas F.	Keller	O'Connor
Carlson	Fries	Kelly	O'Day
Carter	Fulmer	Kennedy, Martin	O'Neal
Cartwright	Garrett	Kennedy, Md.	O'Toole
Case, S. Dak.	Gartner	Keogh	Owen
Celler	Gathings	Kerr	Parsons
Chandler	Gearhart	Kilday	Patman
Chapman	Gehrmann	Kinzer	Patrick
Clark	Gerlach	Kirwan	Patton
Clason	Geyer, Calif.	Kitchens	Pearson
Claypool	Gibbs	Kieberg	Peterson, Fla.
Cochran	Gifford	Knutson	Peterson, Ga.
Coffee, Nebr.	Gilchrist	Kocialkowski	Pfeiffer
Coffee, Wash.	Gillie	Kramer	Pierce, N. Y.
Cole, Md.	Gore	Kunkel	Pierce, Oreg.
Cole, N. Y.	Gossett	Landis	Pittenger
Collins	Graham	Lanham	Plumley
Colmer	Grant, Ala.	Larrabee	Poage
Connery	Grant, Ind.	Lea	Polk
Cooper	Green	Leavy	Powers
Corbett	Gregory	LeCompte	Rabaut

Ramspeck	Schulte	Summers, Tex.	Vorys, Ohio
Randolph	Schwert	Sutphin	Veeland
Rankin	Scrugham	Sweeney	Wadsworth
Rayburn	Secombe	Taber	Walter
Reed, Ill.	Shafer, Mich.	Talle	Warren
Reed, N. Y.	Shanley	Tarver	Weaver
Rees, Kans.	Shannon	Taylor, Colo.	Welch
Rich	Sheppard	Taylor, Tenn.	West
Richards	Short	Tenerowicz	Whelchel
Robertson	Sirovich	Terry	White, Ohio
Robinson, Utah	Smith, Maine	Thill	Whittington
Robson, Ky.	Smith, Va.	Thomas, N. J.	Wigglesworth
Rockefeller	Smith, Wash.	Thomas, Tex.	Williams, Del.
Rodgers, Pa.	Smith, W. Va.	Thomason	Williams, Mo.
Rogers, Mass.	Snyder	Tibbott	Winter
Rogers, Okla.	South	Tolan	Wolcott
Romjue	Sparkman	Treadway	Woodruff, Mich.
Rutherford	Spence	Turner	Woodrum, Va.
Ryan	Springer	Van Zandt	Youngdahl
Satterfield	Starnes, Ala.	Vincent, Ky.	Zimmerman
Schaefer, Ill.	Stegall	Vinson, Ga.	
Schuetz	Stefan	Voorhis, Calif.	

NAYS—16

Andersen, H. Carl	Clevenger	Johns	Schafer, Wis.
Bender	Curtis	Jones, Ohio	Smith, Ohio
Bolton	Dworshak	Michener	Sumner, Ill.
Church	Engel	Routzohn	Thorkelson

NOT VOTING—68

Barton	Evans	Maclejewski	Secrest
Bell	Flannery	Magnuson	Seger
Buckler, Minn.	Gamble	Merritt	Simpson
Buckley, N. Y.	Gavagan	Mitchell	Smith, Conn.
Byron	Goldsborough	Monkiewicz	Smith, Ill.
Casey, Mass.	Hare	Mouton	Somers, N. Y.
Chiperfield	Hendricks	O'Brien	Stearns, N. H.
Cluett	Holmes	O'Leary	Sullivan
Cooley	Izac	Oliver	Tinkham
Cox	Jenkins, Ohio	Osmer	Wallgren
Creal	Kee	Pace	Wheat
Crosser	Kennedy, Michael	Reece, Tenn.	White, Idaho
Cummings	Lambertson	Risk	Wolfenden, Pa.
Curley	McArdle	Sabath	Wolverton, N. J.
Darrow	McDowell	Sacks	Wood
DeRouen	McGranery	Sandager	
Douglas	McReynolds	Schiffler	

So the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. McReynolds with Mr. Wolfenden of Pennsylvania.
 Mr. Cox with Mr. Reece of Tennessee.
 Mr. Curley with Mr. Darrow.
 Mr. Secrest with Mr. Jenkins of Ohio.
 Mr. Cooley with Mr. Gamble.
 Mr. Sullivan with Mr. Wolverton of New Jersey.
 Mr. Crosser with Mr. Risk.
 Mr. Gavagan with Mr. Seger.
 Mr. Merritt with Mr. Barton.
 Mr. O'Leary with Mr. Oliver.
 Mr. Magnuson with Mr. Lambertson.
 Mr. Walgren with Mr. Stearns of New Hampshire.
 Mr. Buckley of New York with Mr. Cluett.
 Mr. Creal with Mr. Holmes.
 Mr. DeRouen with Mr. O'Brien.
 Mr. Flannery with Mr. Sandager.
 Mr. Goldsborough with Mr. Wheat.
 Mr. Mouton with Mr. Douglas.
 Mr. Somers of New York with Mr. Chiperfield.
 Mr. Bell with Mr. McDowell.
 Mr. Cummings with Mr. Osmer.
 Mr. Byrne of New York with Mr. Schiffler.
 Mr. Smith of Connecticut with Mr. Monkiewicz.
 Mr. Evans with Mr. Simpson.
 Mr. Michael J. Kennedy with Mr. Tinkham.
 Mr. Pace with Mr. Buckler of Minnesota.
 Mr. Hare with Mr. Wood.
 Mr. Smith of Illinois with Mr. McGranery.
 Mr. Sacks with Mr. Casey of Massachusetts.
 Mr. McArdle with Mr. Hendricks.

Mr. Gross changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

On motion by Mr. DOUGHTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

EXTENSION OF REMARKS

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. DOUGHTON]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, of course, the gentleman has the right under the rules of the House to revise his remarks. In view of the fact we have not been able to have the remarks of the

gentleman from New York [Mr. BARTON] extended in the RECORD, I feel I must object.

Mr. RAYBURN. Will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman under my reservation.

Mr. RAYBURN. I wonder if we cannot come to an agreement until a more definite one may be reached. Frankly, I am hopeful that the Joint Committee on Printing in the near future will bring in some kind of a resolution with reference to matters that may go in the RECORD. I know that extraneous matter cannot be put in the RECORD without unanimous consent.

May we not have an agreement for the present that Members may be allowed to extend their own remarks in the RECORD? It seems to me that is fair to all the Members of the House. In the Senate they do not have to extend their remarks in the RECORD, because they can take all the time necessary to complete their views. The only way a Member of the House who may be yielded 5 minutes can get his thoughts in the RECORD is to extend his own remarks in the RECORD. He may want to mail those back to his constituents. Frankly, I have never been in favor of indiscriminately extending remarks in the RECORD and putting in matters that did not occur on the floor of the House or language that did not come from the Member himself.

If we carry on this policy of not allowing Members of the House to extend their own remarks it is going to be very embarrassing to practically all the Members of the House. I am not going to insist, but I am wondering if for the present, when an objection is going to be made to matters that are not the words of the Member in an extension or did not happen on the floor, we cannot agree that extensions of the Member's own remarks may be permitted?

Mr. MARTIN of Massachusetts. Does the gentleman think an article by a Member such as the article written by the gentleman from New York [Mr. BARTON] is the Member's own remarks? They are over his signature, and he is the author of the words. Would that be included?

Mr. RAYBURN. No.

Mr. MARTIN of Massachusetts. Then we cannot reach an agreement; and, Mr. Speaker, I object.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that further proceedings under the call of committees be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. CELLER. Mr. Speaker, I ask unanimous consent to proceed for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker and Members, we have just passed a very praiseworthy bill providing for the consolidation and codification of the internal-revenue laws. There was positive need for this codification and I am happy to note that we have passed the bill because thereby the Government, the public, lawyers, and courts will be greatly benefited. It often took a Sabbath day's journey to find or to seek out internal-revenue statutes. Dozens of volumes often had to be examined before one could find a sequence of related statutes.

I note that a great deal of thought and many helpful suggestions were made by the Department of Justice. James W. Morris, Assistant Attorney General in charge of internal revenue, made many splendid contributions. I know of no more efficient or sagacious public servant than my friend James W. Morris.

Others who are worthy of praise in this work are Mr. Preston C. Alexander, chairman of the Chief Counsel's committee, and Mr. Wallace Streater, of the Interpretative Division of the Treasury Department. It is men of the type of Jim Morris and his colleagues who make Government work

worth while. They are indeed shining lights in the Department of Justice. They shall have our eternal gratitude.

Incidentally, I desire to recommend to the Members of the House the reading of the decision made by James W. Morris, of the Department of Justice, on the question of taxation of Government bondholders and employees, and his fine statement concerning the immunity ruling in connection with the sixteenth amendment. A more able or more constructive document has never come from the pen of any Government official.

[Here the gavel fell.]

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes to make an announcement.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. ROBERTSON]?

There was no objection.

Mr. ROBERTSON. Mr. Speaker, during the World War we increased the acreage in production of farm products by 50,000,000 acres. Following the World War horses and mules were in many instances supplanted by trucks and tractors, which eliminated a market for corn and hay from between twenty and thirty million acres; at the same time we have lost export markets; consequently, we have had a surplus of farm production and in recent years we have been trying to get the farmers to take some of this surplus land out of the production of commercial crops. Mr. Speaker, I wish to read a memorandum on an amendment issued on January 10 by the A. A. A. to its soil-conservation plan:

The rate for planting trees in the east central region is \$7.50 per acre, and the rate for seeding legumes is \$1.50 per acre.

It is believed that this will be the prevailing rate throughout the country, provided, however, that the planting of trees (and shrubs) has been approved as a practice for which payments will be made in the particular State and county in which the farm may be situated.

This is going to be a great boon, Mr. Speaker, to wildlife, and all sportsmen and conservationists all over the country should welcome this new addition to our farm plan to pay the farmer \$7.50 an acre to plant trees or shrubs that will improve the habitat for wildlife and \$1.50 an acre for planting legumes or lespedeza or any of those things that will make a food supply for game. I am sure the Members of the House will be glad to pass this information on to the farmers of their respective districts because this is a great opportunity for the farmers to get paid for doing something that will help others as well as themselves.

[Here the gavel fell.]

Mr. KLEBERG. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KLEBERG. Mr. Speaker, I have just placed in the hopper a bill to amend the Agricultural Adjustment Act of 1938 insofar as its provisions affect cotton. This bill is introduced for the purpose of making it available for the study of the members of the House Committee on Agriculture and the Members of this body. I have gone over the bill with considerable care. While I am not entirely satisfied with all its provisions, in the main it has a great many commendable features. I ask the Members of the House interested in cotton, as one of the commodities produced in this country that are important to all walks of life, to give this bill their attention.

[Here the gavel fell.]

Mr. SCHAFER of Wisconsin rose.

The SPEAKER. The Chair will not recognize any other Member at this juncture without the consent of the gentleman having special orders.

For what purpose does the gentleman from Wisconsin rise?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Is that agreeable to the gentleman from Georgia [Mr. PETERSON]?

Mr. PETERSON of Georgia. Mr. Speaker, in view of the lateness of the hour, I prefer that the gentleman withhold his unanimous-consent request until I have made my remarks.

The SPEAKER. Under special order of the House heretofore entered, the gentleman from Georgia [Mr. PETERSON], is recognized for 45 minutes.

Mr. PETERSON of Georgia. Mr. Speaker, I ask unanimous consent to revise my own remarks. I am asking not to extend my remarks in the RECORD but to revise them.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, I may say that under the rules of the House the gentleman has the right to revise his remarks, but he does not have the right to extend them.

The SPEAKER. In the opinion of the Chair, the gentleman has the right to revise his remarks.

PROBLEMS OF THE AVERAGE AMERICAN FARM FAMILY

Mr. PETERSON of Georgia. Mr. Speaker, I shall address myself this afternoon to the problems of the average farm family of America.

During the last 6 years the Congress of the United States has made available for the benefit of the farmers of this Nation appropriations averaging approximately \$1,000,000,000 annually; in other words, during the last 6 years a total of approximately \$6,000,000,000 has been made available by the United States Government for the benefit primarily of the farm population of this Nation.

This total sum may be divided into three parts. We have made available approximately \$3,000,000,000 in direct benefits to the farmers. In addition, we have made available approximately \$1,000,000,000 in regular appropriations to the Department of Agriculture, the benefits of whose operations are supposed to accrue to the farmers of America. Further, there has been made available of the \$10,000,000,000 or \$12,000,000,000 of relief funds appropriated by the Congress not less than from \$1,500,000,000 to \$2,000,000,000 to the farmers of this Nation. This makes a total of approximately \$6,000,000,000.

Mr. Speaker, I believe the time is now ripe for the Members of Congress and the people of America to take stock of our activities and see what lasting, permanent benefits have accrued to the 7,000,000 farm families of America by virtue of the expenditure of the stupendous sums which have been made available to them by our great country. I have official facts that have been prepared by those to whom has been entrusted the administration of the laws of this country as they pertain to the farmers, as well as figures prepared by the Census Bureau, showing that during this same period, although the number of farm families in America has increased, the number of tenant farmers in America has been continually increasing and, according to the word of the President of the United States, during this period the increase in the number of tenant farmers has been approximately 40,000 annually.

Further, we find that the number of mortgages on farms owned and operated by the farmer himself has continuously increased year after year. However, there is one group among whom the number of farm mortgages has continuously decreased. During the period from 1930 to 1935, which are the latest figures we have available, there has been a decrease in the number of mortgages of absentee landlords of approximately 400,000.

To sum this up, Mr. Speaker, we find that while this \$6,000,000,000 has no doubt been of material benefit to the present-day needs of the farm families of America, insofar as permanent benefits that have accrued to the farmers are concerned, the benefits of these vast expenditures have gone primarily to the absentee landlords of America. The poor little individual owner-operator farmers of this Nation, who earn their own living by the sweat of their brows, digging their living out of the soil day after day, have received virtually no permanent benefit from these vast expenditures. [Applause.]

Mr. Speaker, I believe the day is at hand when it is the duty of this Congress to take stock of these emergency

measures and to see whether or not we are really enacting legislation which is going to cure permanently the basic problem of that group upon whose shoulders lies the future prosperity of this Nation, the farmers themselves. In doing this, it is necessary that we recount briefly the history of the land policies and of the independent farm families of this Nation.

America is known as a land of opportunity. Why is it known as a land of opportunity?

When you sift it all down, the fundamental reason for this Nation being recognized throughout the world as the land of opportunity is because it has offered to distressed mankind throughout the world an opportunity to flee from the yoke of tyranny and despotism and oppression and come here and in our boundaries find a little piece of free soil where he could rear his family in freedom and independence as he earned for himself and his family the necessities of life.

From the day that Columbus and his little brave crew of men sighted the first soil of America and the great cry of "Land! Land!" went up from that crew down to the present day there has always prevailed in this Nation, whether written upon the statute books or not, the fundamental proposition of free land for free labor, and when you have studied thoroughly and completely the fundamental principles, the very essence of Americanism, you will find, Mr. Speaker, that the free farm home, occupied by free citizens, earning their honest living by the sweat of their brow, is the cornerstone of our free institutions.

Now, we have had depressions—numerous depressions—in the history of this country, as we all know, and you will find upon studying the history of this country that in virtually every instance up until the last 30 years those depressions have been ended by those who have been without employment, who have lost their homes, who have lost their means of existence, who have lost the means of supplying the necessities of life for themselves and their families, getting in their little covered wagons and moving out farther into the vast public domain and there securing for themselves a new free home where they could again enjoy the fruits of their labor and provide for themselves and their families the necessities of life.

This fact is recognized by all who have studied American history, and virtually in every instance our depressions have been ended by a process of this nature.

At the beginning of the present century virtually all of the public domain suitable for farm purposes had gone into private ownership. An interesting fact is that during the period from 1910 until 1920 we find that the only 10-year period in the history of our country where agricultural products occupied a position above parity as related to industrial products, yet during that identical period the mortgages on the farms of this Nation increased from over \$3,000,000,000 to around \$7,500,000,000.

Immediately after the war period, when this Nation began to readjust itself to normal conditions, we find that many of those who in the wild, inflationary period had seen fit to mortgage their farms hoping to obtain for themselves a better economic position—we find these people up against the proposition of being unable to meet their obligations, and what was the result? There was no new domain, there was no unexplored territory, there were no public farm lands available to them, with the result that the finance companies began to foreclose their farm mortgages and these poor devils and their families were thrown upon society without means of support—the first time that such a condition had prevailed within this great Nation of ours. It was a new problem for the American people, a problem foreign to any that had ever confronted us before, and from that period to this there has prevailed in this Nation among the agricultural group a condition that might be described as chaotic.

Now, what has been the effort to remedy this condition? We find that many well-intentioned public leaders have attempted to grapple with this grave problem in our Nation, but in almost every instance they have approached the prob-

lem, not from the American angle, Mr. Speaker, but from the angle of socialism and communism, and it is easy to understand why they have approached it from that angle, because if you will recall, during the last three-quarters of a century our great educational institutions have bloomed into maturity, and in virtually every instance before an educator was considered completely educated, he was supposed to have studied in Moscow or in Berlin or in Vienna or in Paris or in some other nation at the feet of educators who knew nothing of Americanism, but whose whole background was steeped in a civilization centuries behind the great American civilization that our foreparents had built up. Then as the boys and girls of this Nation, whose parents had grown rich under the great system that we have here, were sent to college, they went to colleges where the professors knew nothing of Americanism, but did know all of the details of socialism and communism.

And, of course, they were taught nothing else, and when they came back and occupied positions of prominence, and these problems arose, it has been only natural that these well-intentioned American citizens should attempt to apply these doctrines to American problems. Mr. Speaker, the natural result has been the enactment of laws by this Congress which run contrary to the American ideal—the enactment of measures which do not meet the wishes, the requirements, the needs of the average American citizen.

And so today we find that, in spite of the fact that we have appropriated these huge sums of the taxpayers' money, still the problem of the average farmer of America confronts us as emphatically as it did 6 years ago. What are we going to do about this thing? Are we going to continue forever to spend huge sums of money beyond the income of this Nation, hoping that such course can go on forever and ever? If so, it is a foolish hope, because we all know that the end must come some day. Again, are we going to sit quietly by and permit that end to come and, when it does, find the foundation stone of Americanism shattered into tenantry and serfdom? If so, there is no hope for free government. Mr. Speaker, it is absurd, positively absurd, to think that free institutions can continue to thrive and prosper when over two-thirds of the farm families are tenants and serfs. The only way that we can hope to preserve our free institutions is by the Congress of the United States of America again placing a sufficient number of producers of raw products of this Nation and their families in an economic position so that it is to their advantage to preserve free institutions. It is time, therefore, for us to lay aside these communistic, these socialistic programs which lead only to despotism, to the rule of tyranny, to the rule of anarchy, to bureaucratic control, and return to the simple, fundamental principles of Americanism and reestablish our independent farm units in their basic positions as the cornerstones of our institutions.

Mr. PIERCE of Oregon. Mr. Speaker, will the gentleman yield?

Mr. PETERSON of Georgia. Yes.

Mr. PIERCE of Oregon. Does the gentleman mean to imply that the legislation that we have passed along agricultural lines is leading us to that position?

Mr. PETERSON of Georgia. I mean to imply that, although, no doubt, many very beneficial things have come out of the legislative program that has been adopted, if we stop with that program alone, without reestablishing independent farm units in my district and your district and throughout the country in a position of economic independence so that they can enjoy their freedom and liberty, this great form of government which we enjoy shall crumble and decay.

Mr. PIERCE of Oregon. Mr. Speaker, I challenge the gentleman's statement that the only people who have enjoyed the benefit of this legislation are the landlords. The whole country has enjoyed it, and we today would have 5-cent cotton and 25-cent wheat if it had not been for the legislation passed in this Congress. I do not think the gentleman has the right to indict the work that we have done. I think

it has been most beneficial. I agree with the gentleman that the independent—

Mr. PETERSON of Georgia. Mr. Speaker, I do not yield any further to the gentleman. I wish it clearly understood that I am not indicting any legislation that might have been passed by the distinguished gentleman from Oregon or any other Member of this House. As I said in the beginning, much material benefit has accrued to the farm population of this Nation by virtue of these expenditures, but I say further that these expenditures are not sufficient, and, further, that it is absolutely essential for this Nation to again return to American principles of legislation and reestablish the independent farm unit of this Nation on a self-supporting basis if we hope to preserve our free institutions.

Mr. KELLER. Mr. Speaker, will the gentleman yield?

Mr. PETERSON of Georgia. Yes.

Mr. KELLER. How would the gentleman accomplish what he is saying?

Mr. PETERSON of Georgia. I am coming to that feature now. Since I have been in Congress I have initiated a program designed to accomplish that result—not perfect, I admit, but it is in harmony with the fundamental principles of Americanism, and, as I see it, there is but one way to approach this problem in a sane and sensible economic manner and that is to take the old free homestead policies of America, which have resulted in such tremendous benefit to all classes of this Nation, and amend them so as to make them apply to the present needs of the country.

Mr. KELLER. How will the gentleman do it?

Mr. PETERSON of Georgia. I appreciate the gentleman's asking that question. I have reintroduced this year, and I am proud to say that I have been joined in this by both of our distinguished Senators from the State of Georgia, who introduced an identical measure in the other body, a program which will accomplish this result, and to me the process appears comparatively simple. If this Nation, instead of spending huge sums of money in temporary relief or, I might say, in addition to spending huge sums of money in temporary relief, which, according to all the facts in the case, are not giving permanent relief—if we will proceed at the same time toward liquidating the farm mortgage indebtedness of the little independent owners of this country, placing them back in possession of their homesteads, free of debt, with the condition that they cannot be further mortgaged, with that one stroke we will have attained for each of these farm units a position of economic independence.

Now, I want it understood that I do not propose to force a program of this nature on the American people. If you have not read the measure which we are advocating, I would like to have you get a copy and read it. It is only four pages long, as compared with the bills that have been brought in heretofore containing scores and scores of pages. After I have read them time after time I was not able to understand them, and I do not believe you folks were able to understand them either.

Mr. TAYLOR of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. PETERSON of Georgia. I yield.

Mr. TAYLOR of Tennessee. I got the impression from what the gentleman said that legislation which we have passed during the past 6 years to coddle the farmer with one subsidy after another has tended to weaken and in many instances to destroy his spirit of thrift and independence?

Mr. PETERSON of Georgia. Mr. Speaker, I do not know that I mean to leave that impression particularly, but I do mean to leave the impression that that legislation has not done anything to regain for that farm unit its position of economic independence which I am sure my distinguished colleague from Tennessee on the other side of the aisle is so anxious to see regained for the farmers in his congressional district.

Mr. TAYLOR of Tennessee. I thoroughly agree with the gentleman.

Mr. SIROVICH. Mr. Speaker, will the gentleman yield?

Mr. PETERSON of Georgia. I cannot yield further at present. This is a serious problem. It is one that has not even been broached by this House on this floor. I am proud to say that during the last term of Congress, the bill which I am now advocating was passed by my committee unanimously. It was never brought to the floor for action.

I propose that we should take a small portion of the funds that we are using in emergency relief and proceed to solve the problem of the little independent owner and operator of farms, who is struggling against an insurmountable burden, and place those farm units again in a position of economic independence. That is the foundation of our whole political, economic, civil, and social structure. The farm home, occupied by free and independent citizens, is the framework around which our whole civilization is built.

The President in his message of February 16, 1937, warned the Congress that this unit is vanishing in America, and he states that—

When fully half the total farm population of the United States no longer can feel secure, when millions of our people have lost their roots in the soil, action to provide security is imperative, and will be generally approved.

Now, Mr. Speaker, it is time for this Congress to begin to use some common sense. I have voted against every one of these lump-sum appropriation relief measures, because to me it is only driving our Nation and our people deeper and deeper into the abyss of despair and will finally mean complete rejection of all liberties and rights and benefits we enjoy under our free institutions. [Applause.]

Now, I appreciate the applause coming from the other side of the aisle, and I take advantage of this opportunity to remind my Republican friends that their party grew into its greatness and gained control of the political affairs of this Nation primarily on account of the fact that there was written into the platform of the Republican Party of 1860 a plank which would accomplish the identical results that I am pleading for here today.

Mr. SIROVICH. Mr. Speaker, will the gentleman yield?

Mr. PETERSON of Georgia. I do not yield now. I welcome the cooperation of my friends on the other side of the aisle, and I wish to present to them a copy of that plank in their platform of 1860 and read it for their benefit, because I feel that possibly some of you might have overlooked it in recent years, during the time that you have failed to help solve this problem of the average farmer of America.

Mr. SIROVICH. Mr. Speaker, will the gentleman yield?

Mr. PETERSON of Georgia. Not now. This is the plank in your platform:

We protest against any sale or alienation to others of the public lands held by actual settlers, and against any view of the free homestead policy which regards settlers as paupers or supplicants for public bounty, and we demand passage by Congress of a complete and satisfactory homestead measure which has already passed the House.

If you will study the history of this Nation you will find that that clause in your platform is the primary cause for the ascendancy of the Republican Party in this country, and the enactment of that into legislation in 1862 is the primary cause for the great progress that this country made for 75 years, and the fact that the Republican Party failed to continue along that pathway is the primary cause for our great Democratic Party rising and again subjecting you into a position of minority in this country.

Mr. Speaker, this proposition is dear to my heart. It is dear to the heart of every American citizen. "Oh," you say, "it will cost too much." I see some of you gentlemen here, the watchdogs of the Treasury, who say that such a program would cost too much. The United States Government today, under the Farm Security Administration, according to figures presented to me a few days ago, is now buying, with public money, farms for certain individual farmers and paying approximately \$5,000 per farm unit for them. The size of these farms is approximately 150 acres. To do that you have had to set up vast new agencies with additional officials,

hundreds of them. Under the program that I propose you do not have to have any new agencies or any new officials. The cost will be much less than one-half of what you are now spending.

All in the world you have to do is to go to the General Land Office, permit the General Land Office—which is one of the oldest agencies of the Federal Government—to go onto the market and buy farm mortgages. Then instead of going into the competitive land-buying business as we are now doing, which forces the price of land up, you will be going into the competitive mortgage-buying business, which will force the price of mortgages down. The size of the average farm mortgage in America today is only a little over \$3,000. Suppose you do pay 100 cents on the dollar; you would still save \$2,000 on every unit. The size of those units is virtually the same as the size of the units that are being bought today by the Farm Security Administration. In my State of Georgia they are paying from \$2,500 to \$3,000 of the taxpayers' money per farm unit. Under my program, with the average mortgage indebtedness being only approximately \$1,100 or \$1,200, you could set up twice the farm families for the same cost that you are setting up one farm family under the present program. Under my program you would be reducing the debt over \$3,000, whereas under the present program you are only adding \$3,000 to the indebtedness.

Consider, for instance—and it is liberal to estimate this way—that the average farm unit under this program of liquidating farm mortgages can be brought about for approximately \$2,000. We have recently appropriated, or will soon appropriate, approximately \$800,000,000 in direct relief to be expended between now and July 1. By July 1, I dare say there will not be 1,000 families in this Nation upon those relief rolls who will be in any better economic position than they are today. What could be done under this simple program I am urging? With this \$800,000,000 under that program you could establish 400,000 farm families, or approximately 2,000,000 American citizens, in a position of permanent economic independence where they could work out for themselves their own salvation and secure for themselves the necessities of life without any bureaucratic control from Washington or any other centralized point.

Mr. KELLER. Mr. Speaker, will the gentleman yield?

Mr. PETERSON of Georgia. I yield.

Mr. KELLER. How would the gentleman purchase this land?

Mr. PETERSON of Georgia. I would not purchase the land.

Mr. KELLER. How would the gentleman put the people on it?

Mr. PETERSON of Georgia. I would purchase the farm mortgage. There are many of them in my district and in the gentleman's district—perhaps the gentleman does not have them, but I do.

Mr. KELLER. I have plenty of them.

Mr. PETERSON of Georgia. The little individual farm unit, farmers and their families who—it might be due to their own extravagance, it might be due to the adversities of life—I know not what, but for some reason—it might have been due to some slick-tongued financial wizard who sold them an automobile and then talked them into mortgaging their farm to pay for it—but in any event whose farm has become mortgaged.

History shows that he does not pay off the farm mortgage. They have never done it in the history of the world—as a rule—and they are not going to do it from now on unless the Government steps in and pays them off in one way or another. That poor devil is up against an impossible proposition. Everything that he makes, if he continues ownership of that farm—the profit on it—has got to go in interest and in sinking fund. Why, the interest alone on the farm mortgages of this Nation and the other farm debts under normal conditions is \$800,000,000 annually, according to figures I have here from the Department of Agriculture. Suppose that man has a 100-acre farm. He is up against an impossible proposition.

He must do one of two things: He must continue to be an owner-operator and let everything he makes, all his profits, go to pay interest on that obligation, or he must let his farm be foreclosed and must become a tenant, a serf. There is no other way out for that man under normal conditions.

This is a problem for society. There is not one man like this in America but there are millions like him in America, and nothing yet has been done by act of Congress to alleviate their condition. I propose, instead of all of this new-fangled stuff here that you do not know anything about, and I do not, either, to permit the General Land Office to buy that farm mortgage. Suppose it is a 100-acre farm and that the owner owes \$1,000 on it, I would let the Land Office make a proposition to the financial institution, whether it is a Federal land bank, a private citizen, a private bank, or whatever it might be, and buy that farm mortgage as cheap as it can be bought with a provision that under no circumstances can they pay more than the actual value of the farm. After they have bought it they can make the proposition to the man who lives there that now the Government, the Congress of the United States, society, if you please, recognizes his impossible position, recognizes that his purchasing power is gone, recognizes that he not only cannot support his family but cannot buy the processed goods of this Nation, recognizes that he is the greatest purchasing agent of the processed goods of this Nation that there is on earth, and recognizes that his purchasing power is gone, so we are going to set him up not only in a position of economic independence but in a position where his family can earn a livelihood in freedom and independence. It will go back to the General Land Office and become a part of the public domain. Then we will give him a prior right to homestead that piece of land under the Homestead Act of 1862, with the further provision that if he homesteads it he can grow on it what he pleases, do with it what he pleases, be a free, independent agent, he and his family, but that he cannot mortgage it or encumber the land.

In other words, society is going to throw a cloak of protection around you, so that your farm, the means of livelihood not only for you but your wife and those poor little children of yours, if you are not in a position to make a living for yourself, may be saved so that your family can make a living on that soil, and we will protect them while they do it and protect them in the enjoyment of the fruits of their labor. Does not the gentleman think that is pretty good legislation?

Mr. KELLER. I think your sympathies are fine. I have not gone into the matter sufficiently to know whether it is at all practicable.

Mr. PETERSON of Georgia. I regret that the gentleman has not studied the free homestead laws of this Nation, because I will tell him that in his district and throughout this Nation as a whole millions and millions of farms have been made available to the farm families of this Nation under their provisions.

In 1862, when this identical piece of legislation was being discussed on the floor, the question arose as to whether limitations should be placed preventing the farms from being sold, encumbered, or mortgaged. There was a vast domain. There were millions of unexplored acres. There are 2,000,000,000 acres of land in America. Millions of those acres had not been explored in 1862. No one could dream of or visualize the time when all of this public domain would go into private ownership. So when a Member rose on the floor of Congress and began to talk about restrictions so that the farms could not be encumbered, he was laughed out of court or, at least, was not seriously considered.

I can fully appreciate that fact. But now, Mr. Speaker, we are up against that proposition, are we going to completely lay aside the American proposition of free land for free labor? If we are going to now or hereafter reject the proposition of giving the opportunity to distressed human beings of getting a piece of free soil whereby they may live in freedom and independence while they work out their own salvation. The only other alternative is despotism, socialism, or tyranny. There can be no other answer.

Mr. KELLER. I sympathize entirely with what the gentleman is saying with reference to making it impossible for foreclosure. I think that is a fine idea.

Mr. PETERSON of Georgia. Did not the gentleman vote for the Farm Security Administration bill?

Mr. KELLER. Yes.

Mr. PETERSON of Georgia. Why does he object to my proposition? Has the gentleman read those contracts which they get when they buy those farms?

Mr. KELLER. Yes.

Mr. PETERSON of Georgia. There is the case of William J. Langsley, of Jasper, Ala. I made a study of that gentleman. He mortgaged himself to the extent of \$4,500. He has 40 years to pay it out, and he is a man, according to the newspapers, 59 years old. When he pays it all out, when he pays up every obligation, he will be 99 years of age. The only hope he can have to enjoy his farm free of debt is to take it to heaven with him.

Mr. SIROVICH. Will the gentleman yield?

Mr. PETERSON of Georgia. Not now. If the gentleman will read it further, he will find, if that man moves a fence, places a terrace, or drives his mules to church on Sunday with his family contrary to the specific permission of the bureaucrats here in Washington, they can declare his contract null and void and throw him off for any pretense. Yet you say we have made an independent unit of him.

Mr. Speaker, it is a farce. I must admit this first example was in the great State of Alabama. You will find, further, that that particular man could have bought a farm anyhow. He had several hundred dollars a year in pension money coming to him from the Government. In addition, the first year they paid to him four or five hundred dollars for doing certain building work. If the Government is going to take every farmer who is in such desperate condition and buy a farm unit for him, then turn around and appropriate money to keep it up so that he can pay off the farm debt, and that is exactly what we do. Why is it not much better, more sane, and using greater common sense to get to the bottom of this thing and liquidate the farm-mortgage indebtedness from the bottom on up?

Mr. Speaker, a few days ago the President of the United States stated in this House that it was up to Congress to solve all these problems. It is up to us now, and the duty falls on us. The question is, Are we going to continue in a haphazard manner to lay aside any serious effort to again reestablish the foundation to our American free Government by creating independent farm units and putting these farmers in a position of economic independence instead of fooling around with these untried, fanciful theories that are leading us deeper and deeper into the abyss of despair, or are you going along with the two distinguished Senators from Georgia, myself, and others who are supporting this piece of legislation which will go a long way toward solving permanently the basic farm problems of this Nation?

I sincerely trust this piece of legislation will be reported by my committee and that the Rules Committee will grant us a rule so that it can be brought before the membership of the House, where every Member will be given ample opportunity to consider and study every angle of the matter. Let us work together to get a permanent solution of this problem that will reestablish our Nation and place us again in the position of normal prosperity. [Applause.]

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. BOLLES. Mr. Speaker, I ask unanimous consent that on tomorrow, after the legislative program of the day, and following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the special orders heretofore made, I may be permitted to address the House for 10 minutes to answer the extension of

remarks of the gentleman from Indiana [Mr. LUDLOW] entitled "What Is the Matter With New England?" At the end of his remarks the gentleman asked the New England newspapers to please copy. I suggest they wait until I answer the gentleman from Indiana [Mr. LUDLOW]. I shall entitle my remarks "What Is the Matter With Congressman LUDLOW?"

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts that on tomorrow, at the conclusion of the special orders heretofore made, she may be permitted to address the House for 10 minutes?

There was no objection.

The SPEAKER. Under a previous special order, the gentleman from Washington [Mr. HILL] is recognized for 20 minutes.

Mr. HILL. Mr. Speaker, I ask unanimous consent to proceed for an additional 5 minutes at the conclusion of the 20 minutes allotted me.

The SPEAKER. Under the practice heretofore indulged in by the House, inasmuch as there is another gentleman to follow the gentleman from Washington, the Chair is loath to put that request unless it meets with the approval of the gentleman from Pennsylvania [Mr. VAN ZANDT]. Will the gentleman from Washington submit his request at the conclusion of his remarks?

Mr. HILL. Mr. Speaker, I had not intended to ask permission to address the House so early in the session, as it has been my observation during the seven sessions I have served here that those who talk the oftenest, the loudest, and the longest wield the least influence in this body. But when on Monday last my simple request to extend my own remarks in the CONGRESSIONAL RECORD and include therein a 10-minute talk I made on the preceding Saturday over the National Broadcasting System was objected to by the minority floor leader, the gentleman from Massachusetts [Mr. MARTIN], my only recourse was to secure time on the floor of this House. Members of this body are fully acquainted with the reason for this objection, but that the people of this Nation may know the tactics adopted by the opposition in this session, I will state the facts.

In the first place, let me say that it has been an invariable custom in the House to concede unanimous consent to any Member to extend his own remarks spoken over the radio. Excerpts from newspapers and magazines have often been objected to. Congressman BRUCE BARTON, for whom I have a high regard, and with whom I serve on the Committee on Indian Affairs, had published in Collier's an eight-page political article entitled: "After Roosevelt, Then What?"

He is now engaged more or less in a speaking tour of the East, presumably in behalf of his own candidacy for the Presidency in 1940. Last week, during his absence, one of his Republican colleagues requested unanimous consent to extend his own remarks and include therein this eight-page political article by Congressman BARTON. This was objected to by Congressman BUCK, of California, because of its being a long magazine article. As a result, my request to insert my own brief remarks, which were nonpolitical, was objected to by the leader of the minority. And he or his lieutenants have persistently continued that policy and threaten to continue it indefinitely. These are the facts, and I leave it to fair-minded citizens of this country to pass judgment in this matter. That the privileges of the CONGRESSIONAL RECORD have been abused cannot be successfully refuted; and I well remember the facetious remark of an intelligent and witty constituent of mine who had been "fed up" on much of the worthless material that finds its way into that ponderous publication. Said he on my first trip to Washington in 1933: "The first thing I want you to do when you get down there is to extend your remarks in the RECORD and include therein the Encyclopedia Britannica so we may have it free!" However, there is no valid reason for objecting to speeches made by Members outside the Chamber especially when they deal with current legislation and are nonpolitical, so here I am going to insert the speech that I asked to have inserted in an extension of my remarks.

The purpose of all taxes should be to provide Government with the necessary funds—

Mr. MARTIN of Massachusetts rose.

Mr. HILL. I am sorry, but you cannot object to this.

Mr. MARTIN of Massachusetts. I certainly can object to it.

Mr. HILL. To carry out its functions of protecting its citizens, safeguarding their inalienable rights, and developing their opportunities for progress, success, and happiness.

Mr. SCHAFER of Wisconsin. Regular order, Mr. Speaker. The gentleman is out of order. Under the rules of the House, the gentleman is not supposed to read from a manuscript.

Mr. MARCANTONIO. The gentleman is reading his own remarks.

Mr. SCHAFER of Wisconsin. I do not care.

Mr. MARCANTONIO. If the gentleman is reading his own remarks, Mr. Speaker, I submit that is in order.

The SPEAKER pro tempore (Mr. PACE). The Chair believes the gentleman is within the rules of the House.

Mr. HILL. I wish no more interruptions, please, so I can finish in my 20 minutes.

Mr. SCHAFER of Wisconsin. A point of order, Mr. Speaker.

The SPEAKER pro tempore. Does the gentleman from Wisconsin insist on his point of order?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I make the point of order that the gentleman is out of order under the rules of the House and is not supposed to read his remarks in the Well of the House. I ask for a ruling.

The SPEAKER pro tempore. The Chair has been provided with a copy of the rules of the House and refers to rule XXX, which reads:

When the reading of a paper other than one upon which the House is called to give a final vote is demanded, and the same is objected to by any Member, it shall be determined without debate by a vote of the House.

Mr. HILL. Is this going to be taken out of my time, Mr. Speaker?

The SPEAKER pro tempore. It will not be taken out of the time of the gentleman.

The Chair is of the opinion that under this rule the question of whether or not the gentleman from Washington shall be permitted to proceed to read his own remarks must be submitted to the House.

The question is on permitting the gentleman from Washington to proceed to read his own remarks.

The question was taken; and on a division (demanded by Mr. SCHAFER of Wisconsin) there were—ayes 15, noes 3.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object to the vote on the ground there is no quorum present. I believe that when the gentleman is making a political speech attacking the Republican Party he should have more than 18 Members present.

The SPEAKER pro tempore. The Chair will count.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I withdraw the point of order so the gentleman may proceed to deliver his political speech to the 18 Members of the House who are present.

The SPEAKER pro tempore. The gentleman from Wisconsin withdraws his point of order. The gentleman from Washington may proceed.

Mr. HILL. Taxes, to be just and equitable, must be based on ability to pay and benefits received. When thus levied, and when wisely expended, no patriotic citizen should be unwilling to pay his fair share to carry on the Government in a democracy like ours.

It is far wiser to carry on the legitimate functions of government by means of taxation than by borrowing and issuing interest-bearing bonds. Both the taxpayer who pays the bill and his servant, the county, State, or Federal official, who is charged with the prudent spending of the money, will be less prodigal with these funds when unlimited demands on the future are prohibited, the large sums wasted in interest are saved, and the political power of unscrupulous Shylocks

is curbed. A graduated income tax is the most equitable, based as it is on the ability to pay and adjusted according to the benefits received. Does not the Government provide the incomes or present the opportunities for private incomes?

A tax on consumption, a sales tax, too often violates the principle of ability to pay. Moreover, it decreases the purchasing power of the great mass of people, thereby decreasing the national income, whereas the aim of economists and high Government officials is to increase the national income from \$60,000,000,000 to \$80,000,000,000. The flow of money in the economic body is as necessary and vital as the normal circulation of the blood in the human body. This can be accomplished not by taking from those whose wages are far below standard through a tax on their food, wearing apparel, and shelter, but rather by furnishing them permanent jobs at good wages through Government employment when private industry fails, neglects, or refuses so to do. Not only is it the function and duty of government to provide adequate relief for work purposes during these winter months, but it must enter upon a permanent program of public work projects so as to take up the slack, as it is sure to come in years ahead. The United States can well afford to study and follow the wise leadership of the Scandinavian lands as outlined in a book entitled "The Northern Countries in World Economy."

There is another field in which the Federal Government can wisely spend. This is along educational lines. As a teacher for many years in our public schools I am sincerely and heartily in favor of generous Federal aid to education. We have not only erected a splendid edifice of government of which we are justly proud but it is our privilege and duty to maintain and protect it against the raids of communism, fascism, and nazi-ism; also from the greed and selfishness too often characteristic of some of our most vociferous patrioters. The best weapon against all these subversive forces is public opinion—not that fostered by newspaper propaganda or self-seeking investigating committees, but based upon an intelligent study and exposition of all the fallacies of all these modern "isms." Our boys and girls, our young men and women, all of them, must have access to all the facts and data available; the supervision of intelligent and sincere instructors, and the inalienable right of American citizens to choose for themselves the methods of solving their problems and those of the country in which they live.

I believe in an adequate defense for our country, especially in these serious times when madmen are at the helm in so many foreign countries. Our ship of state will need cool heads and courageous hearts in the coming years. I am, however, unalterably opposed to the building of costly super-dreadnaughts to cruise the seven seas in another futile attempt to "make the world safe for democracy." I am far more interested in making the United States safe for democracy and a fit place in which to live and rear our children. The millions wasted on such an armed program leading to foreign entanglements can better be spent on alleviating intolerable conditions at home and making available one of the most essential elements of national defense—an intelligent, enlightened, and patriotic citizenry which no outside force on the face of the earth can conquer. We are all quite familiar with the poverty and unemployment situation about us; it is both tragic and threatening. Temporary relief measures are mandatory. But a more permanent program is essential in the educational field. Three quarters of a million children in the United States have no schooling. About two and a half million children of school age are so handicapped that they need special facilities. One-third of the children of school age do not have the full school year, many of them having only from 2 to 5 months.

All this in our land of wonderful historic achievements. All this in our country of magnificent power and wealth. All this in our land of limitless opportunities.

We boast of our splendid heritage, of our wonderful opportunities, of our boundless natural resources. They are worthy of praise and our best efforts. But let us cherish a greater pride and a more lasting interest in our greatest and best

national resource—our boys and girls—the men and women of America's tomorrow.

That is the end of my radio talk.

The policy of petty obstruction and the lack of constructive criticism on the part of the Republican leadership both in the country at large and here in the Congress have been quite evident since the recent election. The wine of temporary success has gone to their heads. They speak immoderately and act quite foolishly. You need not take my word for it. Read the sound criticism and advice given the opposition by so seasoned and conservative a writer as David Lawrence in his *Star* column under the heading "Obstruction Tactics May Turn Tide; New Deal Opponents Attack, But Offer No Alternatives." How deadly true this has been from the first week of the session. Biting, sarcastic criticism of the President's statesmanlike annual message, but not one word of constructive suggestion. They would balance the Budget but where would they begin—not surely on their own pet projects and on long-standing Republican bureaucrats. They, with reactionary Democrats led by the late lamented—I might say lamentable—ex-chairman of the Rules Committee, defeated the reorganization bill urged by platforms of Presidents of both parties for the past two-score years, which could have been so shaped as to effect great economies in the executive departments. They ridiculed the President's Jackson Day speech, one that shows conclusively that Franklin D. Roosevelt has his face turned toward the east, toward the dawn of the day when Progressives, regardless of past party affiliations, will, for the purpose of self-protection but chiefly to make our splendid heritage of the past 150 years serve the men and women of today in modern terms and in such a way as to render the sentiments expressed in the Declaration of Independence a living and breathing spirit to bless the America of today. I have long cherished the hope of a new party alignment. I have no dislike for the conservatives of the old school. They are genial, intelligent men and their motives are above suspicion. But they do not belong to the Democratic Party of today. They should train and follow through with the reactionary Republicans whose ideas and ideals are similar to theirs. We who believe in the ideas and ideals of the New Deal and have followed the essential principles and policies of the program of reform as well as recovery took charge of the Democratic Party in 1932, continued in charge in 1934 and 1936 and 1938 and by the eternal, under the leadership of Franklin D. Roosevelt we will continue in charge in 1940. Let the issue be met fairly and squarely, let the voters of the United States have the long-awaited opportunity of deciding between all the conservatives of the old school on one side and all the progressives of the New Deal on the other side. I, for one, have no fear of the outcome. But the opposition will hedge, as they are now doing on the W. P. A. relief bill. During the recent campaign in our State, the Republican candidates promised better wages and other emoluments to W. P. A. workers. There has been for years more Republican political activity in relief in our State than Democratic political activity. Even as I speak, a threatened investigation of the Republican relief set-up in our State is on by our State legislature notwithstanding it is controlled by a coalition of Republicans and conservative Democrats.

Mr. Speaker, there has been a coalition of conservative Democrats and Republicans in this House since the inception of the New Deal. During the first few sessions of the present administration there was no open opposition to the program of the New Deal expressed on the floor of this House. The people of the country were in no mood to tolerate any destructive criticism for those first few years. But we heard considerable opposition and criticism in the cloakrooms on the part of conservative Democrats even that early. They knew, however, that their only assurance of reelection was to support the New Deal. It was purely a matter of expediency with them, not one of conviction. In later years when there has been a reasonable recovery

achieved and the novelty of the New Deal has worn off, with all the newspaper and magazine propaganda hurled at it, and a certain amount of popular disapproval of some of the methods used, these Members have come out into the open and are showing their true colors.

I bring no brief, Mr. Speaker, for the President of the United States. He needs none. He can and has taken care of himself superbly. His annual message delivered on the floor of this House and his Jackson Day address show his indomitable courage and splendid leadership better than ever. He is still the progressive leader of the progressive Democratic Party. It behooves us who believe in the same high ideals and progressive policies to back him up in this leadership. We, the rank and file, are the shock troops, if you please, upon whom he will have to depend when his erstwhile supporters desert him in the hour of real battle. I have not always agreed with and supported the President. On the second vote cast in this House during the special session of 1933 our whole Washington delegation saw fit to vote against the so-called economy bill which the Liberty League had so cleverly induced the administration to sponsor. It was not popular in that session to vote against the popular President. I have done so several times since. But I am heartily and sincerely in favor of the policies and program of reform as well as recovery promulgated and advocated by him. It is commonly asserted that he lost the court fight. Did he? Is it a loss to compel a conservative court to completely reverse itself on two such important issues as minimum wages for women and the interstate-commerce clause in the Constitution? Is it a loss to have been permitted to appoint such known liberals as Black, Reed, and Frankfurter to the highest tribunal in the land? Is it a loss to have the Supreme Court of the United States now interpret the Constitution in the light of modern intelligence and modern demands and modern developments? No; the President did not lose the court fight; he won a magnificent victory, not because he is a shrewd statesman but because he is eternally right on that question. Did he lose the reorganization battle? Possibly the first skirmish, but the battle is not yet done. One of the leaders in opposition to that much-needed reform met his Waterloo on the plains of New York on November 8 last. We have just begun to fight that battle for economic, efficient, and expeditious functioning of the executive department of the Government. The Republicans with their conservative Democratic friends may continue their folly of opposing this reform. But when the voters understand what reorganization really means to the orderly processes of good government, what it did for the State of Virginia under Governor BYRD, who now as Senator opposes Federal reorganization presumably for personal reasons, and that platforms and Presidents of both parties for the past two-score of years have demanded this reform, then this battle, too, will be won.

The President has not gone as far as I would go on the money question, on the farm problem, on social security, and old-age pensions. But he has done more to breathe new life into the Constitution and carry out the purposes as expressed in the preamble of that great instrument and the ideals and principles as enunciated in the Declaration of Independence; he has done more to make the United States safe for democracy; he has done more to urge the rights of the common people than any President since Abraham Lincoln. In the years to come Americans will have good cause to thank God for Franklin D. Roosevelt.

I want to serve notice here and now that all these attacks on the President and the New Deal program will be met by those of us who, possibly too long, have sat by in silence. As much as I dislike to take up the time of the Members of this House in discussing political issues, I shall take the floor whenever I deem it my duty to speak in behalf of the principles I have advocated for many years. And I care not who the aggressor may be. If it be the tall tornado from Texas who has these many months been gathering unto himself a fund of publicity as chairman of the Committee to

Investigate Un-American Activities and is now galavanting around the country in behalf of his candidacy for the Presidency and breaking bread with the Nazi agents here, let him come on. In the words of Shakespeare:

Lay on, Macduff;
And damn'd be him that first cries, "Hold, enough!"

His sole purpose has been to discredit the administration and the New Deal and not to sincerely uncover subversive un-American activities. Or it may be the ponderous gentleman from Wisconsin, who seems to consider burly brawn superior to brains as essential to qualify a Member for this House. Yesterday in one breath he belabored the Secretary of Labor for not deporting an alien, and in the next breath he wanted this alien shot by a firing squad for treason. Can the gentleman, in his own time—and he uses a good deal of it—tell the Members how an alien can be guilty of treason to this country? Or it may be our gruff-voiced but genial gentleman from Massachusetts, who so often quotes poetry for the edification of his listeners. Only yesterday he bemoaned the fact that my good friend Amlie, a "lame duck," had been appointed to the Interstate Commerce Commission. Mr. Amlie needs no praise of mine.

Mr. GIFFORD. Will the gentleman yield there?

Mr. HILL. I do not have the time.

Mr. GIFFORD. The gentleman must yield. He referred to me.

Mr. HILL. If I get 5 additional minutes, I will yield.

Mr. GIFFORD. And the gentleman misrepresented me, too.

Mr. HILL. I think not.

Mr. GIFFORD. Oh, yes; the gentleman did. My speech made no reference to Mr. Amlie. His name came up through an interruption by another Member. My remarks fitted Mr. Hopkins and stripped him naked. I said nothing about Mr. Amlie.

Mr. HILL. Oh, it was in the gentleman's talk.

I will simply say that he is as sincere and intelligent a student of economics as ever graced this Chamber with his presence. And I may add that it was a sad day for Wisconsin, of whose State university I have the honor to be an alumnus, when it failed to return such men as Boileau, Sauthoff, Schneider, and Withrow. Their successors will have to go far to equal them in courageous and intelligent service. Speaking of "lame ducks" may I remind the gentleman from Massachusetts that William Howard Taft was the most discredited "lame duck" in the history of our country in 1912. Yet appointed as Chief Justice he made an enviable record, notwithstanding his conservative trend of decisions. And who was more of a "lame duck" than Herbert Hoover in 1932? And yet the opposition sit at his feet today and would gladly see him appointed to any office.

In closing, I want to follow in the footsteps of my good friend from Massachusetts [Mr. GIFFORD] and quote the following poem by Ella Wheeler Wilcox:

NO QUESTION IS EVER SETTLED UNTIL IT IS SETTLED RIGHT

However the battle is ended,

Though proudly the victor comes

With fluttering flags and prancing nags

And echoing roll of drums,

Still truth proclaims this motto

In letters of living light,

No question is ever settled

Until it is settled right.

Though the heel of the strong oppressor

May grind the weak in the dust,

And the voices of fame with one acclaim

May call him great and just,

Let those who applaud take warning

And keep this motto in sight,

No question is ever settled

Until it is settled right.

Let those who have failed take courage,

Though the enemy seems to have won—

Though his ranks are strong—if he be in the wrong,

The battle is not yet done,

For sure as the morning follows

The darkest hour of the night,

No question is ever settled

Until it is settled right.

This question will not be settled right until we lay aside our partisanship—and we will do it if you will—and carry into effect that fine sentiment of Theodore Roosevelt:

This country in the long run will not be a good place for any one of us to live in until and unless it is a good place for all of us to live in.

I submit that is the purpose of the New Deal under Franklin D. Roosevelt. [Applause.]

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Connecticut [Mr. MILLER] is recognized for 15 minutes.

Mr. MILLER. Mr. Speaker, if it be in order, I yield my time for today and ask unanimous consent that on tomorrow, at the conclusion of the special order heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

The SPEAKER pro tempore. Under the special order of the House, the gentleman from Pennsylvania [Mr. VAN ZANDT] is recognized for 30 minutes.

NATIONAL DEFENSE

Mr. VAN ZANDT. Mr. Speaker, it is gratifying to have this opportunity to address the House on a question of absorbing interest to me for two decades—the question of the national defense. But merely because I mention my long interest in this question, please do not misunderstand my purpose. I do not rise to address the House for the first time to impart any information. My purpose is quite the contrary. I am seeking information.

My first real interest in the national defense came with impelling force in April 1917. I promptly left high school to enlist in the Navy. After my discharge at the end of 28 months I enlisted in the Naval Reserves. I still am a member of that splendid organization. Hence it must be obvious that I do not qualify as an authority on the national defense. I merely endorse the policy of an adequate national defense. For, unless our national defense is adequate to withstand any test, we might as well disband the Army and Navy right now and thus help balance the Budget.

Since the World War I have been active in veteran affairs. I was honored three times by election as commander in chief of the Veterans of Foreign Wars of the United States. While occupying that post I preached the policy of an adequate national defense before veterans' organizations, civic, patriotic, and business bodies, and before committees of Congress. I mention my modest military record and my veteran activities not to point with pride but to indicate that I have little fear of anything I may say on this occasion being used against me to sustain an indictment for pacifism. I am speaking for the national defense, not against it.

Under the Constitution one of the first duties of Congress is to provide for the national defense. The turbulent state of world affairs today lends added importance to that ever-important problem. It is kept before us constantly by front-page accounts of the wars in Europe and Asia, with discussions of the mad race for armaments by dictator nations and democracies alike. All experts agree that a general war in Europe is inevitable. Some persons in positions to be well informed, such as our Ambassadors to England and France, even set the date for the opening of hostilities as next spring. Is there any wonder the American people have a severe case of war jitters? Indeed, the most acute case of this universal malady seems to be suffered by the President himself.

In his personal report to Congress on the state of the Nation the President so stressed the "storm signals from across the seas" that he made the national defense a prior and a more pressing problem than our most urgent domestic needs. The President referred to a narrowly averted war "which threatened to envelop the world in flames." Peace, he told Congress, is anything but assured in this world bristling with armaments that are swifter and more devastating than ever. Then from a skillfully woven summary of wars and rumors of war the President drew a startling challenge to our demo-

cratic institutions, if not an actual threat to our peace and security.

Some gentlemen on this floor have been unkind enough to accuse the President of using the wars and preparations for war as a convenient smoke screen to conceal 6 years of New Deal failure in our domestic affairs. Be that as it may, that is not the question I wish to discuss at this time. There should be no partisanship where the national defense is concerned. There may be honest differences of opinion as to what constitutes an adequate national defense, but that is one question which never should be made a political football. The President of the United States still is my Commander in Chief. When he solemnly advises Congress that our national defense needs strengthening, I always shall give him respectful attention, examine the evidence, and then act upon my responsibility as a Member of this House. Right now I am seeking evidence.

The President professed to see in the undeclared wars and the threats of new aggression—both military and economic—a direct challenge to three institutions, which all agree are indispensable to Americans—religion, democracy, and international good faith. Then, the President added:

The defense of religion, democracy, and international good faith among nations is all the same fight. To save one we must now make up our minds to save all.

Mr. Speaker, I submit there can be no question about our determination to defend our shores from invasion, to protect our possessions, continental and insular. Surely, if we do that successfully, we shall save our own religion, our own democracy, and our own good faith in international affairs.

America was founded as a consequence of religious persecution. Hence, we abhor religious or racial persecution. America's helping hand always has been and always will be extended to the oppressed minorities in other lands. Yet, it is doubtful whether the American people are prepared to embark upon a crusade to avenge the victims of such persecution in Europe or elsewhere. We would be quick to resent any intervention by any other nation in our strictly domestic affairs, such as lynching Negroes in the South.

What about democracy? More than 20 years ago we went to Europe and fought a great war "to make the world safe for democracy." We all know the result only too well. America poured out blood and treasure without stint in the name of democracy. Yet, only two great democracies survive in Europe today. Dictators dominate Europe and Asia. Are we going to use our Army and Navy to assist in changing the form of government in any other country? I think not. When it comes to economic wars, do we propose to force the people of other lands to buy our goods at the point of the bayonet? Hardly!

So far as international good faith is concerned, by all means we must keep the faith. There can be no doubt about the damage done the cause of international good faith by the dictators. As much as we deplore that, the United States, after all, is not the keeper of the world's conscience. We can set the world a good example, but the day has passed for reforming the morals of any nation by fire and sword.

So, despite the violence done religion and democracy by dictators in their own countries and the damage to the cause of international good faith in the world, I doubt whether the American people are prepared to make these outrages an issue of war so long as our own institutions remain free from the heavy hands of Communist or Fascist dictators.

We all understand that it is advisable in promoting any cause to paint the picture with broad strokes and in vivid colors to arouse interest. Yet, with all the wars and threats of war, it seems hardly necessary to overdraw the picture to arouse the country and Congress to the need of a strong and modern national defense. And although national defense, in the strict sense, merely implies the weapons with which to defend our own shores and our own possessions, I am willing to follow the President a little further along the line in search of the objectives we must have added arms to defend.

The President, referring to the "common ideal of democratic government" in the Western Hemisphere, as a bond of mutual respect and a guaranty of peace, declared:

That hemisphere, that peace, and that ideal we propose to do our share in protecting against storms from any quarter. Our people and our resources are pledged to secure that protection. From that determination no American flinches.

Most Americans are in general sympathy with the President's declaration for a doctrine of solidarity of the Western Hemisphere. Even though Congress, under the Constitution, must declare war before we go into any fight, there is general sympathy with the President's grand gesture of friendship toward Canada. In one of his characteristic bursts of enthusiasm the President has assured the Canadians the United States would join in the defense of the Dominion in the event of attack. There is general sympathy with the implications of the Monroe Doctrine and the results of the Lima Conference. We all agree with the determination to keep this hemisphere free from European or Asiatic invasion or political domination.

Now, let us examine world conditions to ascertain, if we may, from whence comes this threat against our own security or against any nation in this hemisphere. Surely neither the United States nor any nation in this hemisphere need fear an immediate attack from Germany. In the first place, Hitler is committed to the east. His eyes are on the rich wheatlands of the Ukraine. He has no high-seas navy. Without a navy not even Hitler is likely to undertake a war overseas. He has no gold, no credit, and his balance of trade is on the wrong side of the ledger.

Germany is reported to be developing long-range bombing planes capable of flying the Atlantic, bombing our eastern seaboard and returning to Germany or bases he might seize along the African coast. Admittedly, the United States could be bombed from almost any place in Europe, but just as a stunt. The planes never would get back and such an attack would have no value. So not even Hitler is likely to launch such an expedition. It would be scarcely less fantastic than Orson Welles' radio broadcast about the attack from Mars.

What if the Berlin-Rome axis began to go into high gear and that precious pair of jealous prima donnas, Hitler and Mussolini, joined forces for a foray against the United States or any nation in this hemisphere? Italy is in much the same economic and financial plight as Germany. Moreover, Mussolini is committed to making the Mediterranean an Italian lake. He has no gold, no credit, no navy capable of waging war on this side of the Atlantic. He still has the Spanish war on his hands, to say nothing of a slight touch of indigestion from swallowing Ethiopia.

Recently a jingoistic Japanese spokesman warned that the Empire of the Rising Sun might find it necessary to sink the American Fleet if we dare attempt to fortify the island of Guam. Japan has stuck her Samurai sword so deeply into the bowels of China she had to go in after it. And what she will look like when she gets back, God only knows. Japan is bleeding her people white trying to conquer the Chinese dragon. Experts assert that conquest will engage Japan for the next century. So that Japanese statesman probably was thinking more about bolstering flagging public opinion at home than sinking our fleet. Japan never has had, not even in her wildest Shinto doctrine, the slightest intention of attacking the United States. Indeed, such an eminent naval expert as the President himself, in a magazine article in 1931, asserted a war between the United States and Japan was physically impossible. He may have changed his mind. He has been known to do that—on the potency of party purges, for instance.

What of Russia? Has Russia any territorial ambitions in this hemisphere? The "bear that walks like a man" is very much engaged at present in watching Germany on one side and Japan on the other, to say nothing of his internal difficulties, which require constant purging. So much for the dictators and the totalitarian states. Now for the democracies of Europe.

Is our threat from England? Decidedly, no. Another Munich, and John Bull may find himself classed with Ferdinand, the bull which never learned to fight. Certainly, John Bull wants to embrace us, not fight us. Our friendship with France has been traditional since Revolutionary days. La Belle France is blowing kisses in our direction today. No, sir; we were the devoted ally of Britain and France in the World War. We supplied the men, money, and munitions to whip the Kaiser. Although England and France, who owe us the bulk of the war debts, are slightly in arrears on their payments, they would like to be in a position to draw on our men, money, and munitions if they fight Germany or Italy, or both. That is a question I shall touch upon in a moment.

First, by this process of elimination, I may well echo the cry, "Whom are we going to fight?" "Are we arming to fight some other nation's battle?"

That is what we all want to know. That is what Congress ought to know. That is what the people are entitled to know.

Let us turn back the pages of history just a few years in our search for the answer. Four men sat down at a table at Versailles in 1919—three hard-headed European realists and a soft-hearted American idealist—and proceeded to redivide a world already badly divided. All the present trouble in Europe dates from that so-called peace conference. And that brings us to Munich, where the phantom menace was born, the phantom terror we are arming to fight in the name of national defense. We will pass over the right and justice of that affair. All we need consider is this: Czechoslovakia was one of the states carved out by the four wise men at Versailles in order to cripple Germany. Among the assorted peoples given to Czechoslovakia were the Sudeten Germans. Under Hitler's influence, the Sudetens began to cry for a return to the fatherland. Hitler finally served an ultimatum on the little Republic. President Benes stood his ground, depending upon alliances with France and Russia to save his country. And England, of course, was supposed to back France.

Shortly before the show-down at Munich, Col. Charles Lindbergh made certain discoveries in Germany and Russia, presumably about the superiority of the German air forces over those of Britain and France and that little assistance could be expected from Russia. Whatever it was, it was reported to the British and French. No matter whether it was Colonel Lindbergh's discoveries or something else, the fact remains that Czechoslovakia was sold out at Munich by England and France. Hitler got his chunk of land and restored several million population to the fatherland.

Whatever that phantom menace may be, it soon was imported to the United States by our Ambassadors to London and Paris. These diplomats reported to the White House, and then at an unprecedented and supposedly secret meeting of the House and Senate Military Affairs Committee, Messrs. Kennedy and Bullitt revealed the phantom menace. Some members were not impressed by the menace. While we know Germany and Italy constitute the phantom menace, its connection with our national defense still is baffling, but those using it as a bugaboo become better known daily.

Why did handsome Anthony Eden pay his recent goodwill visit to America? He did not come merely to set girlish hearts aflutter as he emerged from a long and earnest conference with the President at the White House. Why are the British King and Queen to make what a London paper called "the first royal visit to a former colony"? Why is there a rumor in service circles that by 1941 we must have our Army air force and our Navy tremendously increased? Can it be that we are preparing to spend upward of \$2,000,000,000 on the national defense only to use our Army and Navy for the protection of some other nation? Could it be that almost without knowing it we are preparing huge increases in the air force for the benefit of England? It is possible that England is trying to maneuver us into the same position in which we found ourselves back in 1917, when we sent 2,000,000 boys to Europe to make the world safe for democracy.

Before I vote on these vast expenditures, which the President says are necessary for the national defense, I want the answers to those questions. Congress ought to have the answers. The country is entitled to the answers.

England certainly could use our help. Japan threatens Hong Kong. Japanese troops are almost to Burma, where vast India boils. Palestine is restless. Mussolini is astride the Mediterranean. He almost has his hands on Gibraltar at one end of his new lake and is demanding a voice in the control of the Suez Canal at the other. England's highly concentrated industry along the channel and North Sea coasts and London, the largest city in the world, are the most vulnerable aerial targets in all Europe. England, to save London and her industrial cities, sold out Czechoslovakia at Munich. Do you think she would hesitate to sell out America to save her loosely bound empire, an empire bound together by the symbol of a crown?

When you add up the international situation today, there is no possible enemy for the United States to fight unless we leave home to do it. There is no nation on earth which could invade this country today. The only way we are likely to become involved in war is to get in somebody else's war. We can only get in somebody else's through diplomatic blundering. Can it be that Ambassador Kennedy, a fine American of Irish stock, a hard-headed businessman, is as susceptible to the subtle British blarney as Walter Hines Page, our Ambassador to London in the period leading up to our entrance into the World War? Did the British sell Kennedy a bill of goods? What is the President's real purpose? What is our foreign policy?

Now, let us consider the President's message on the national defense, in which he made some specific recommendations for strengthening and modernizing our national defense. Even when we consider that the Regular Army budget calls for \$510,000,000 and the Regular Navy budget calls for \$720,000,000, and the defense program is set at \$552,000,000, making a total outlay of \$1,782,000,000 for the next fiscal year, the price seems to be a reasonable one to pay for national security, if that amount is really needed. But do we need it?

The President has spoken. Now, it is the duty of Congress to determine the amount needed for defense. But, whatever the amount may be, once Congress is convinced of the necessity of even this enormous expense, I believe the American taxpayers will pay almost any price for peace and security.

But, as I have attempted to show in sketchy outline, our position for peace and security, even in a mad world bristling with armaments, never has been so favorable since the World War. At the same time I refuse to yield, not even to the President, in my desire to have this country prepared to meet any emergency. The President's vision, from his vantage point in the White House, is longer than mine, of course. He may have been able to discern the new German "invisible troops." He certainly saw some menace that none of the rest of us have been able to discern. So, before I vote for this vast national-defense appropriation, I would like to know something more about this threat to our security. I want to know. Congress ought to know. The people are entitled to know.

Even before we get an answer to that question, I would like to put several others. I would like to know what constitutes an adequate national defense in view of the present world situation, our commitments for hemisphere defense, the possible developments in national armaments, the possible improvement in the destructive power and speed of armaments, and how should we best go about achieving the desired security by the expenditure of nearly \$2,000,000,000. Those questions can be answered only by experts on the subject. By "experts" I do not mean merely the Secretaries of War and the Navy, their aides, and the ranking Army and Navy officers now in command of the various branches of the service in Washington.

I do not discount the value or the importance of the facts and the opinions now being given by these officials and officers to the House and Senate committees. That is their job and

I have every confidence in them. But I believe there is no disagreement about the assertion that modern warfare is waged by nations as economic units, not merely by the armed forces afield, afloat, and in the air.

If Congress is to legislate wisely and soundly on the national defense, with a long-range view of any emergency that may arise in the future, we should have the benefit of expert testimony on every conceivable angle of the program. It is not enough to have expert opinion on guns and ships, planes and tanks, men and munitions. Information on those vital points can be obtained from the General Staffs. We should have the testimony of military and naval experts who are not now in active service. We should hear from the industrialists, especially the automobile and airplane manufacturers and their experts, and all others who would arm and equip this Nation if it ever again is plunged into war.

Nor should we stop there. The President may be justified in dramatizing the menacing situation which suddenly confronts us. And in doing so, he has set a precedent. He has brought the diplomatic corps into the national defense picture for the first time. Messrs. Kennedy and Bullitt already have appeared before the House and Senate Military Affairs Committees. Mr. Johnson, the American Ambassador to China, is in Washington to give the President and the State Department a report on the progress of the war in China, and confidential information on the Japanese situation. Mr. Grew, the American Ambassador to Japan, is returning, supposedly on a similar mission. Mr. Wilson, the Ambassador to Germany, was recalled "for consultation and report" and still is in this country. Is there any reason why these gentlemen should be slighted by congressional committees? They should be called so as to give their jigsaw section of the picture so that we could fit it together and make a whole.

Nor should we stop even there. Inasmuch as our foreign policy seems to be the crux of our defense policy, Congress might save time by asking the man who makes it—the President of the United States. There is precedent for that. President Wilson was questioned by the Senate Foreign Relations Committee on the Treaty of Versailles and the League of Nations. The result of this quiz, however, need not be the same. In fact, the President should welcome the opportunity to give the House and Senate Committees on Foreign Affairs some of the more intimate details about this new menace. The President could insure easy sailing for this defense program by merely inviting the members of the two committees down to the White House and disclosing his foreign policy, which demands added armaments. Once this menace is cleared up, Congress will vote any necessary defense funds.

But whatever this new menace may be, whatever threats there may be to our religion, our democracy, and international good faith, or to those of our neighbors in this hemisphere, the President has advised us there is no occasion for hysteria. In that event, there is no occasion for undue haste. Meanwhile, we not only should take steps to meet this menace when it appears but we should establish a progressive policy of national defense which will insure the security of this Nation so long as it has defenders.

The National Defense Act of 1920 as amended to 1935, of course, laid down such a policy as I contemplate. That law may be perfect as it stands. I do not know. But I want to know. Congress ought to know. The people are entitled to know. If the law needs any revision or a complete revamping, whatever is necessary should be done. Sound as the law may have been at the time of its enactment and amendment it may be outmoded by the new menace.

What I am proposing is simply this: In view of the President's solemn warning, we should do a thorough job of surveying our resources of national defense before taking any action. The National Defense Act should be dusted off with a view to making any necessary amendments. The Navy should be overhauled fore and aft. The army should be given a rigid inspection. Instead of doing a piecemeal, patchwork job that might find us almost as unprepared as we were in 1917—a matter of which the President reminded us—the

national defense should be examined and explored from every angle to the end that an up-to-the-minute policy can be established and place us in readiness to meet any emergency. Once that is done, the program should proceed in an orderly manner. Thus, with a long-range policy that has sufficient flexibility to meet any changes that developments would require, we would be as immune from war scares as from any real danger to our security.

In revamping our national defense policy and the defenses themselves, it might be well to consider the suggestion for establishment of a joint congressional committee, composed of members of all committees which have any legislative responsibility in the matter. Our able and sagacious minority leader (Mr. MARTIN) has pointed the way. He has named an informal committee, composed of minority members of the various committees considering the national defense, in order that all information on the subject may be pooled for the benefit of all Republicans of the House. But the national defense is not a party matter. The joint committee should be official and the information it gathers from the War and Navy Departments and other sources should be pooled for the benefit of all Members of Congress. And, inasmuch as the President has set the precedent, and brought the diplomatic corps into the national defense picture, we should have all available material bearing on that subject in the hands of the State Department.

In that way we could assure the American taxpayers of a sound investment of their money set aside for the national defense. In that way we could soon learn whether we need upward of \$2,000,000,000 now for the national defense or more.

The President's proposal of placing "educational orders" with various munitions manufacturers, so that industry could be quickly stepped up to quantity production in the event of emergency, appeals to me as a progressive step, but we might go even further. In the past, one of the greatest difficulties with keeping the national defense abreast of the times has been the rigid method of Congress in making funds available. All moneys must be earmarked for a specific purpose. As a consequence of that earmarking, I am informed there is a 3-year lag in the defense program. Why would it not be advisable to place in the hands of the War and Navy Departments a certain amount of liquid funds for use in experimental work and development and a limited production of all types of mechanical defense? If Congress can vote billions of dollars in blank checks for relief, we certainly can trust the War and Navy Departments to make judicious use of funds to promote and perfect the national defense. In other words, cut the red tape.

Americans are the greatest mechanical and industrial race in the world. There is no reason why we should not build a mechanized defense as far superior and as far advanced beyond anything the European and Asiatic nations may have as our automobiles are superior to the foreign products. There is no question about our ability to do this if restrictions and handicaps on the War and Navy Departments are removed. We could and should keep a generation ahead of the world on mechanical developments in the national defense if we scrapped the outmoded and cumbersome system of research, experiment, and development of weapons, which is due largely to the earmarking of funds. It would prove an economy in the end, and yet we would get the most improved type of national defense.

Airplanes are a case in point. The airplane, which originated in America, still is in its infancy. So rapid are the improvements and developments of planes that I am informed a shiny new plane becomes obsolescent the moment it is placed on the line to take off on its first flight. The miracle of today becomes the jallopy of tomorrow. Hence it would seem unwise to build any great number of military planes now with the thought that they would give us superiority and security in the air for any length of time. I would not begrudge the Army and Navy a single plane the experts asserted was needed now, but I would not vote for

the expenditure of a single dime for planes that should be in the junk heap instead of in the air in the time of emergency.

While I am well aware of the highly controversial nature of the proposal for a Department of National Defense, with the Army in one branch, the Navy in another, and the air force as a third, we should try to learn once and for all time whether such a plan is desirable, and if so, adopt it at once. While there is a plan for the cooperation of the Army and Navy, in the event of war, it never has been decided definitely where the Army leaves off and the Navy begins to function in the air. We certainly should have a plan to coordinate all branches of the service and promptly adopt it if the menace to our security is anything like the President described.

Naturally there are many other military and naval problems involved in the national defense. I merely have tried to touch some of the high spots that occur to an inexperienced layman. I also would like to suggest a few expert witnesses who could shed light rather than heat on the subject of the national defense as well as any possible menace to our security.

Inasmuch as this phantom menace appeared coincident with discoveries alleged to have been made to Colonel Lindbergh, the Lone Eagle himself should be called before a joint congressional committee to tell his own story. I noticed recently that he was expected to return to this country in the near future. In any event, he could be summoned, and I feel sure he would be glad to come and clear up some of the mystery about this phantom menace to our security.

Another witness I would like to hear is Gen. Douglas MacArthur, our former Chief of Staff of the Army and now military adviser to the Philippines, which still flies the American flag. I have known General MacArthur for several years, and I regard him as one of the finest military minds in the world today. I also know him to be absolutely fearless in giving testimony. His testimony should be of great value not only on the National Defense Act, which I understand he helped to formulate, but on affairs in the east. General MacArthur could reach Washington within a week after he were summoned by taking a clipper plane and then flying across the continent after reaching the States.

We should not ignore such outstanding soldiers as General Moseley, Gen. Smedley Butler, and Gen. Hugh Johnson. All of them are now on the retired list, and they would not be restricted in their testimony by any fear of a reprimand following it.

In shaping a new national-defense policy, designed to give a maximum of security at a minimum cost, I would not restrict testimony to military men or industrialists. I would like to hear from the peace societies and any others with a legitimate interest and something to contribute. Above all, I would like to hear from the veterans of the World War, through their organizations. They know the cruel cost of war in maimed bodies and broken minds. These veterans are living reminders that the cost of war has scarcely begun when the last shot is fired in battle. With America still carrying a large share of the financial burden of the World War, that debt will not be wiped out for many, many generations. With our Budget in the red for the past 10 years, with our national debt mounting to almost \$40,000,000,000, with the whole world bankrupt as it totters under its unreasonable burden of armaments, I would be dishonest if I did not oppose with all my strength the expenditures of every penny over and above the amount required for adequate national security.

We do not want to pull the chestnuts out of the fire again for Great Britain or any other nation. Let us keep out of this European mess. Let us concentrate on the solution of our own problems. Let us open up this whole question of the national defense and its related foreign policy. Let us get all the answers before we act. That is what I want to know. That is what Congress ought to know. That is what the American people are entitled to know. [Applause.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MERRITT, on account of death in his family.

The SPEAKER resumed the chair.

PERMISSION TO ADDRESS THE HOUSE

Mr. PACE. Mr. Speaker, I ask unanimous consent that on Monday, at the conclusion of the legislative program of the day, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

ADJOURNMENT

Mr. ZIMMERMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 31 minutes p. m.) the House adjourned until tomorrow, Thursday, January 26, 1939, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Thursday, January 26, 1939. Business to be considered: Continuation of hearing on H. R. 2531—transportation bill. Commissioner Splawn, of the Interstate Commerce Commission, is to be the witness.

COMMITTEE ON MILITARY AFFAIRS

There will be a meeting of the Committee on Military Affairs in room 1310, New House Office Building, at 10:30 a. m. Thursday, January 26, for the continued consideration of the President's message on national defense.

COMMITTEE ON NAVAL AFFAIRS

There will be a meeting of the Naval Affairs Committee of the House of Representatives on Thursday, January 26, 1939, at 10:30 a. m., for the purpose of continuing the consideration of H. R. 2880, "To authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes," carrying out partially the recommendations of the Hepburn report.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

There will be a meeting of the Committee on World War Veterans' Legislation at 10:30 a. m. Wednesday, January 26, 1939.

COMMITTEE ON WAYS AND MEANS

Public hearings will begin Wednesday morning, February 1, 1939, at 10 a. m., on social-security legislation, in the Ways and Means Committee room in the New House Office Building, Washington, D. C.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

328. A letter from the Secretary of War, transmitting the draft of a proposed bill to authorize the Secretary of War to provide for the sale of aviation supplies and services to aircraft operated by foreign military and air attachés accredited to the United States, and for other purposes; to the Committee on Military Affairs.

329. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 3, 1939, submitting a report, together with accompanying papers, on a preliminary examination of Meredosia Bay, Illinois River, Ill., authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

330. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 3, 1939, submitting a report, together with accompanying papers and an illustration, on a survey of New Jersey Intracoastal Waterway from Shrewsbury River to Delaware Bay above Cape May via Manasquan-Barneget Canal and

including entrance through Barnegat Inlet and waterway across Cape May County, N. J., to connect New Jersey State Inland Waterway with Delaware Bay, authorized by the River and Harbor Act approved August 30, 1935 (H. Doc. No. 133); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

331. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated October 19, 1938, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Northeast Harbor, Maine, authorized by the River and Harbor Act approved August 26, 1937 (H. Doc. No. 132); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

332. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 28, 1938, submitting a report, together with accompanying papers and an illustration, on reexamination of Cape Fear River, N. C., at and below Wilmington, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted January 27, 1937 (H. Doc. No. 131); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

333. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 11, 1939, submitting a report, together with accompanying papers and an illustration, on reexamination of St. Joseph Harbor, Mich., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted January 27, 1937 (H. Doc. No. 129); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

334. A letter from the Executive Director of the Social Security Board, transmitting the Third Annual Report of the Social Security Board for the fiscal year ended June 30, 1938 (H. Doc. No. 130); to the Committee on Ways and Means and ordered to be printed, with illustrations.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 528) granting a pension to Merrill T. Bryant; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 529) granting a pension to Ted Spire; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 530) granting a pension to Thomas A. O'Leary; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 531) granting a pension to John Henry; Committee on Pensions discharged; and referred to the Committee on Invalid Pensions.

A bill (H. R. 628) granting a pension to Gus Brunner; Committee on Pensions discharged, and referred to the Committee on World War Veterans' Legislation.

A bill (H. R. 638) granting a pension to Carl H. Smith; Committee on Pensions discharged, and referred to the Committee on World War Veterans' Legislation.

A bill (H. R. 653) granting a pension to Katherine Slusher; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 657) granting a pension to Nettie Saylor and Noel Junior Saylor; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 679) granting a pension to Elige Caldwell; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 685) granting a pension to John H. Botner; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 687) granting a pension to Daniel Blanton; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 689) granting a pension to Cora Arlena Ballard; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 696) granting a pension to Addie Higginbotham; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 697) granting a pension to Richard B. Hammer; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 709) granting a pension to Millard Pittman; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 748) granting a pension to Charles Arthur Collins; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 750) granting a pension to Joseph Ladish; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 752) granting a pension to James Joseph Monahan; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 755) granting a pension to Edward A. Price; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 758) granting a pension to George W. Wormington; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 766) granting an increase of pension to Elizabeth Fairfax Ayres; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 812) granting a pension to Walter L. Mitchell; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 1371) granting a pension to Hilder Smith; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 1379) granting a pension to Timothy A. Linehan; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 1910) for the relief of Charles R. Randall; Committee on Pensions discharged, and referred to the Committee on Claims.

A bill (H. R. 3076) granting a pension to Howard E. Tolson; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. AUGUST H. ANDRESEN:

H. R. 3208. A bill to authorize the coinage of 50-cent pieces in commemoration of the discovery of America by Leif Ericson, in connection with the national Leif Ericson celebration to be held at Minneapolis and St. Paul, Minn., on June 10-13, 1939; to the Committee on Coinage, Weights, and Measures.

By Mr. BLAND:

H. R. 3209. A bill making it a misdemeanor to stow away on vessels engaged in interstate or foreign commerce and providing punishment therefor; to the Committee on Merchant Marine and Fisheries.

By Mr. CANNON of Florida:

H. R. 3210. A bill to exempt and exclude from operation and effect of the International Labor Treaty Draft Convention No. 53, as ratified by the United States Senate in the Seventy-fifth Congress, all vessels under and less than 200 tons gross registered tonnage; to the Committee on Merchant Marine and Fisheries.

By Mr. COCHRAN:

H. R. 3211. A bill to authorize reimbursement of appropriations on account of expenditures in connection with disposition of old material, condemned stores, etc.; to the Committee on Expenditures in the Executive Departments.

By Mr. DARDEN:

H. R. 3212. A bill providing for the acquisition of additional lands for Norfolk Navy Yard at Portsmouth, Va.; to the Committee on Naval Affairs.

By Mr. ELLIOTT:

H. R. 3213. A bill to provide that 50 percent of Federal highway-aid funds shall be applied to secondary and feeder roads, including farm-to-market roads, rural free delivery mail routes, public-school-bus routes, and roads in oil-producing districts; to the Committee on Roads.

By Mr. GEYER of California:

H. R. 3214. A bill to provide for the construction of a marine hospital at Los Angeles Harbor, Los Angeles, Calif.; to the Committee on Merchant Marine and Fisheries.

By Mr. McCORMACK:

H. R. 3215. A bill to amend the act of March 2, 1929 (45 Stat., ch. 536); to the Committee on Immigration and Naturalization.

By Mr. SCHAFER of Wisconsin:

H. R. 3216. A bill to exempt vessels of less than 200 gross tonnage from the provisions of article 1 of the International Labor Conference Treaty Draft Convention (No. 53); to the Committee on Merchant Marine and Fisheries.

By Mr. VAN ZANDT:

H. R. 3217. A bill to amend the National Housing Act, and for other purposes; to the Committee on Banking and Currency.

By Mr. MICHAEL J. KENNEDY:

H. R. 3218. A bill to provide for the appointment of substitute laborers in the Post Office and Railway Mail Service in first- and second-class post offices, and for the regulation of hours of service and salary; to the Committee on the Post Office and Post Roads.

By Mr. BURDICK:

H. R. 3219. A bill to amend Public Law No. 383, Seventy-third Congress (48 Stat. L. 984), relating to Indians, by exempting from the provisions of such act any Indian tribe or reservation in the State of North Dakota; to the Committee on Indian Affairs.

By Mr. MAY:

H. R. 3220 (by request). A bill to extend the benefits of the United States Employees' Compensation Act to members of the Officers' Reserve Corps and of the Enlisted Reserve Corps of the Army who are physically injured in line of duty while performing active duty or engaged in authorized training, and for other purposes; to the Committee on Military Affairs.

H. R. 3221 (by request). A bill to authorize the Secretary of War to provide for the sale of aviation supplies and services to aircraft operated by foreign military and air attachés accredited to the United States, and for other purposes; to the Committee on Military Affairs.

By Mr. GREEN:

H. R. 3222. A bill for the completion of the construction of the Atlantic-Gulf Ship Canal across Florida; to the Committee on Rivers and Harbors.

By Mr. MANSFIELD:

H. R. 3223. A bill for the completion of the construction of the Atlantic-Gulf Ship Canal across Florida; to the Committee on Rivers and Harbors.

By Mr. MILLS of Louisiana:

H. R. 3224. A bill creating the Louisiana-Vicksburg Bridge Commission; defining the authority, power, and duties of said commission; and authorizing said commission and its successors and assigns to purchase, maintain, and operate a bridge across the Mississippi River at or near Delta Point, La., and Vicksburg, Miss.; to the Committee on Interstate and Foreign Commerce.

By Mr. HUNTER:

H. R. 3225. A bill authorizing the Department of Highways of the State of Ohio to construct, maintain, and operate a free highway bridge across the Ottawa River at or near the city of Toledo, State of Ohio; to the Committee on Interstate and Foreign Commerce.

By Mr. KLEBERG:

H. R. 3226. A bill to amend all provisions (insofar as they apply to the commodity cotton) of the Agricultural Adjustment Act of 1938, as amended; to provide for the general welfare, by achieving in behalf of cotton planters through the protection of the product of the soil and toil for that portion of their commodity which they sell in the markets of the United States, an equitable price commensurate with the costs to them of the things they buy within the United States; and to restore the control of the production as well as the marketing of exportable surplus cotton to the producers of cotton themselves; to the Committee on Agriculture.

By Mr. GREEN:

H. R. 3227. A bill to provide for refunding to tobacco producers amounts paid to the Secretary of Agriculture under administrative ruling No. 50, amendment No. 1; to the Committee on Agriculture.

By Mr. McCORMACK:

H. R. 3228. A bill to exempt from the Officers' Competency Certificate Convention, 1936, all American vessels under 200 tons; to the Committee on Merchant Marine and Fisheries.

By Mr. ROGERS of Oklahoma:

H. R. 3229. A bill for the benefit of the Omaha and Winnebago Indians of Nebraska; to the Committee on Indian Affairs.

By Mr. ROMJUE:

H. R. 3230. A bill to amend the statutes providing punishment for transmitting threatening communications; to the Committee on the Post Office and Post Roads.

H. R. 3231. A bill to authorize the mailing of pistols, revolvers, and other firearms capable of being concealed on the person, to officers of the Coast Guard; to the Committee on the Post Office and Post Roads.

By Mr. STEAGALL:

H. R. 3232. A bill to amend the National Housing Act, and for other purposes; to the Committee on Banking and Currency.

By Mr. SUMNERS of Texas:

H. R. 3233. A bill to repeal certain acts of Congress (pocket vetoed); to the Committee on the Judiciary.

By Mr. IZAC:

H. R. 3234. A bill to provide for the completion of the Navy and Marine Memorial; to the Committee on the Library.

By Mr. WHELCHER:

H. R. 3235. A bill providing for refund of taxes collected under the Bankhead Act, and for other purposes; to the Committee on Agriculture.

H. R. 3236. A bill providing for equalization of taxes in counties where there are Government-owned lands; to the Committee on the Public Lands.

H. R. 3237. A bill making eligible, under the Relief Appropriation Act of 1935, for admission to the Civilian Conservation Corps camps, or for any other governmental work, veterans otherwise qualified but whose names do not appear on the relief rolls; to the Committee on World War Veterans' Legislation.

H. R. 3238. A bill to provide allowances for widows and children of World War veterans who died of disability not acquired in the service; to the Committee on World War Veterans' Legislation.

H. R. 3239. A bill to restore the 2-cent postage rate on first-class mail; to the Committee on Ways and Means.

H. R. 3240. A bill granting pensions to veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection and the World War, their widows and dependents; to the Committee on World War Veterans' Legislation.

H. R. 3241. A bill for the restriction of immigration; to the Committee on Immigration and Naturalization.

H. R. 3242. A bill making it unlawful to pay, or agree to pay, any ransom or reward for the release of kidnaped persons; to the Committee on the Judiciary.

H. R. 3243. A bill to provide that World War veterans who are totally and permanently disabled from nonservice causes

shall be entitled to pension without regard to the length of service; to the Committee on World War Veterans' Legislation.

H. R. 3244. A bill to provide sick and annual leave to substitutes in the Postal Service; to the Committee on the Civil Service.

H. R. 3245. A bill for the restriction of immigration, to prevent the purchase and possession of firearms by aliens, and to provide for the deportation of criminal and certain other aliens; to the Committee on Immigration and Naturalization.

H. R. 3246. A bill to amend the Judicial Code to create a new district in the State of Georgia, known as the north-eastern district, and for other purposes; to the Committee on the Judiciary.

H. R. 3247. A bill to encourage and promote the ownership of farm homes and to make the possession of such homes more secure, to provide for the general welfare of the United States, to provide additional credit facilities for agricultural development, and for other purposes; to the Committee on Agriculture.

By Mr. BUCKLER of Minnesota:

H. R. 3248. A bill authorizing a per capita payment of \$15 each to the members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation; to the Committee on Indian Affairs.

By Mr. McKEOUGH:

H. J. Res. 130. Joint resolution authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. MARTIN J. KENNEDY:

H. Res. 69. Resolution for the appointment of a committee to investigate the conditions in Mexico; to the Committee on Rules.

By Mr. CONNERY:

H. Res. 70. Resolution authorizing an investigation of the Federal Communications Commission; to the Committee on Rules.

By Mr. KERR:

H. Res. 71. Resolution to pay a gratuity to William Duke Jones, son of the late Howard F. Jones; to the Committee on Accounts.

By Mr. WIGGLESWORTH:

H. Res. 72. Resolution authorizing an investigation of the Federal Communications Commission; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOEHNE:

H. R. 3249. A bill for the relief of Oscar L. McCallen; to the Committee on Claims.

By Mr. CONNERY:

H. R. 3250. A bill granting an increase of pension to Charles M. Porter; to the Committee on Pensions.

H. R. 3251. A bill for the relief of Edward J. Fegan; to the Committee on Naval Affairs.

H. R. 3252. A bill for the relief of Humbert Di Pesa; to the Committee on Naval Affairs.

H. R. 3253. A bill for the relief of Edward John Bradley, deceased; to the Committee on Naval Affairs.

H. R. 3254. A bill for the relief of Frank Hansen; to the Committee on Naval Affairs.

H. R. 3255. A bill for the relief of Ellen A. Farrelly; to the Committee on Naval Affairs.

H. R. 3256. A bill granting a pension to Mary P. Hall; to the Committee on Invalid Pensions.

H. R. 3257. A bill for the relief of Edward M. Holian; to the Committee on Naval Affairs.

H. R. 3258. A bill granting an increase of pension to Ida A. Chapman; to the Committee on Invalid Pensions.

H. R. 3259. A bill for the relief of Andrew V. Donovan; to the Committee on Naval Affairs.

By Mr. COLE of New York:

H. R. 3260. A bill granting an increase of pension to Adelia Van Wormer; to the Committee on Invalid Pensions.

By Mr. CARLSON:

H. R. 3261. A bill for the relief of Dr. C. O. Anderson and others; to the Committee on Claims.

By Mr. DALY:

H. R. 3262. A bill for the relief of Leib Milgrom; to the Committee on Immigration and Naturalization.

By Mr. HALLECK:

H. R. 3263. A bill granting an increase of pension to Laura E. Boze; to the Committee on Invalid Pensions.

By Mr. HARRINGTON:

H. R. 3264. A bill for the relief of Frederick Henry Pollman; to the Committee on Military Affairs.

H. R. 3265. A bill for the relief of E. J. Riegel; to the Committee on Claims.

By Mr. HAVENNER:

H. R. 3266. A bill for the relief of Avram and Ida Butnariu; to the Committee on Immigration and Naturalization.

By Mr. HEINKE:

H. R. 3267. A bill for the relief of Anthony Coniglio; to the Committee on Claims.

H. R. 3268. A bill granting a pension to Charles J. Fuhrer; to the Committee on Pensions.

By Mr. HESS:

H. R. 3269. A bill for the relief of Joseph Pund; to the Committee on Claims.

By Mr. HOPE:

H. R. 3270. A bill for the relief of Carl Gumbir; to the Committee on Claims.

By Mr. IZAC:

H. R. 3271. A bill for the relief of the estate of Facundo Gonzales; to the Committee on Claims.

H. R. 3272. A bill granting an increase in retired pay to George Occhionero, first lieutenant, United States Marine Corps, retired; to the Committee on Military Affairs.

By Mr. KELLY:

H. R. 3273. A bill for the relief of Thomas Francis Fleming; to the Committee on Naval Affairs.

By Mr. KILDAY:

H. R. 3274. A bill for the relief of Thomas L. Boren; to the Committee on Pensions.

H. R. 3275. A bill for the relief of Mattie M. Tapping; to the Committee on Claims.

By Mr. KUNKEL:

H. R. 3276. A bill granting an increase of pension to Lucy Killinger; to the Committee on Pensions.

By Mr. LESINSKI:

H. R. 3277. A bill for the relief of Egon Karl Freiherr von Mauchenheim and Margarete von Mauchenheim; to the Committee on Immigration and Naturalization.

By Mr. LEWIS of Ohio:

H. R. 3278. A bill for the relief of Letizia Angeletti; to the Committee on Claims.

H. R. 3279. A bill for the relief of Anne-Marie von Steuben Rosenberg; her son, Juergen von Steuben; and her husband, Hugo Rosenberg; to the Committee on Immigration and Naturalization.

By Mr. McKEOUGH:

H. R. 3280. A bill granting a pension to Annie Marie Swingle; to the Committee on Invalid Pensions.

By Mr. NELSON:

H. R. 3281. A bill for the relief of P. G. Sullivan; to the Committee on Claims.

H. R. 3282. A bill for the relief of Lucy Sullivan; to the Committee on Claims.

By Mr. PETERSON of Georgia:

H. R. 3283. A bill for the relief of John N. Crotty; to the Committee on Military Affairs.

By Mr. PIERCE of New York:

H. R. 3284. A bill granting a pension to Elizabeth R. Davis; to the Committee on Invalid Pensions.

By Mr. PITTENGER:

H. R. 3285. A bill for the relief of Sigvard C. Foro; to the Committee on Claims.

H. R. 3286. A bill for the relief of Itasca County Abstract Co.; to the Committee on Claims.

By Mr. POLK:

H. R. 3287. A bill granting a pension to Stanley Earl Mowry; to the Committee on World War Veterans' Legislation.

By Mr. RAYBURN:

H. R. 3288. A bill for the relief of Jennie Painter; to the Committee on Claims.

By Mr. ROCKEFELLER:

H. R. 3289. A bill granting an increase of pension to Libbie Van Deusen; to the Committee on Invalid Pensions.

H. R. 3290. A bill granting an increase of pension to Catherine A. Burdick; to the Committee on Invalid Pensions.

H. R. 3291. A bill granting a pension to Lottie Smith; to the Committee on Invalid Pensions.

By Mr. SCHAEFER of Illinois:

H. R. 3292. A bill for the relief of Thomas W. Wright; to the Committee on Military Affairs.

H. R. 3293. A bill for the relief of Fred C. Hinrichsen; to the Committee on Naval Affairs.

H. R. 3294. A bill granting an increase of pension to Jessie G. Bivens; to the Committee on Invalid Pensions.

By Mr. SCHAFER of Wisconsin:

H. R. 3295. A bill for the relief of Touma Tamexian; to the Committee on Military Affairs.

By Mr. SCHIFFLER:

H. R. 3296. A bill for the relief of Donald R. Chaffee; to the Committee on Claims.

By Mr. SCHUETZ:

H. R. 3297. A bill for the relief of Daniel S. Snyder; to the Committee on Military Affairs.

H. R. 3298. A bill for the relief of Giuseppe Noce; to the Committee on Immigration and Naturalization.

By Mr. SNYDER:

H. R. 3299. A bill granting an increase of pension to Mary E. Miller; to the Committee on Invalid Pensions.

By Mr. TERRY:

H. R. 3300. A bill for the relief of Grace Rouse; to the Committee on Claims.

By Mr. THOMASON:

H. R. 3301. A bill for the relief of L. B. Starns; to the Committee on Claims.

H. R. 3302. A bill for the relief of B. W. Higgins; to the Committee on Claims.

By Mr. WHELCHER:

H. R. 3303. A bill granting an increase of pension to John R. Robertson; to the Committee on Pensions.

H. R. 3304. A bill to honor the military service of Charles G. Clement; to the Committee on Military Affairs.

H. R. 3305. A bill to correct the military record of Capt. Charles G. Clement; to the Committee on Military Affairs.

H. R. 3306. A bill to correct the military record of Jonathan Waters; to the Committee on Military Affairs.

H. R. 3307. A bill for the relief of Mrs. Clifford D. Barber; to the Committee on Claims.

H. R. 3308. A bill for the relief of Eddie B. Black; to the Committee on Claims.

H. R. 3309. A bill for the relief of Mrs. Earnest Smith and two small children; to the Committee on Claims.

H. R. 3310. A bill for the relief of W. K. Crow; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

526. By Mr. BOLLES: Petition of sundry citizens of Neshkoro, Wis., requesting that we adhere to the general policy

of neutrality contained in the act of August 31, 1935, and in the act of May 1, 1937; to the Committee on Foreign Affairs.

527. Also, petition of members of St. Rita Sodality, Society of Ladies of the Parish of St. Joseph of Lyons, Wis., requesting that we adhere to the general policy of neutrality contained in the act of August 31, 1935, and in the act of May 1, 1937; to the Committee on Foreign Affairs.

528. Also, petition of the parishioners of St. Patrick's Church in Racine, Wis., requesting that we adhere to the general policy of neutrality as enunciated in the act of August 31, 1935; to the Committee on Foreign Affairs.

529. By Mr. CLEVINGER: Resolution of the Women's Missionary Society, Church of Christ, Leipsic, Ohio, urging that the Government of the United States put into effect a policy of nonparticipation in aggression by discontinuing the shipment to aggressor nations of all goods that can be used by their military forces, and that immediate steps be taken to stop shipment of such goods to Japan; to the Committee on Foreign Affairs.

530. By Mr. COFFEE of Washington: Resolution of the General Welfare Federation of Washington, Inc., F. H. Raymond, secretary, Tacoma, Wash., asserting that National Social Security Advisory Council's recommendations for old-age security are utterly inadequate, uncertain, and confusing; insisting that such recommendations if enacted into law would perpetuate the present inequalities and iniquities in the Social Security Act; alleging that the General Welfare Act (H. R. 11) represents a sound effort to correct abuses and provide relief to the aged, and therefore urging that the General Welfare Act (H. R. 11) be enacted into law by the Congress at the earliest possible moment; to the Committee on Ways and Means.

531. Also, resolution of the Lumber and Sawmill Workers Union, Local No. 2669, Charles E. O'Brien, secretary-treasurer, Tacoma, Wash., pointing out that the War Department's program calls for the authorization of several anti-aircraft National Guard regiments; asserting that the Pacific Northwest is without even a minimum of air defense, though many Federal projects having a direct relationship to war are located in the area adjacent to Tacoma and Seattle; insisting that Washington, being a seacoast State, is vulnerable to attack, yet is without air defense; therefore urging that authorization be granted at once for the allotment and formation of National Guard anti-aircraft artillery; to the Committee on Appropriations.

532. Also, resolution of the Willapa Harbor Industrial Union Council, G. H. Hatfield, president, Raymond, Wash., alleging that the majority of American people consider the Dies committee to have functioned as a kangaroo court and as a sounding board for ill-considered expressions of stool pigeons and stooges; asserting that the effect of the Dies committee has been to discredit and defeat New Deal candidates for election to public office; and therefore vigorously opposing the continuation of the Dies committee and insisting that Congress refuse to appropriate funds for that purpose; to the Committee on Rules.

533. Also, resolution of Federated Fishermen's Council of the Pacific Coast, Martin E. Olsen, secretary-treasurer, Portland, Ore., asserting that curtailment in employment in salt herring industry in Alaska has been caused by excessive importation of European herring; therefore requesting Congress for suitable appropriation to be set aside for survey intended to develop means to revive this industry; to the Committee on Merchant Marine and Fisheries.

534. Also, resolution of Federated Fishermen's Council of the Pacific Coast, Martin E. Olsen, secretary-treasurer, Portland, Ore., asserting that the present policy of the Government to cut down all appropriations for adequate health service for Alaskan fishermen is short-sighted and parsimonious; insisting that such policy is detrimental to marine workers; therefore urging that marine hospitals be created in the Territory of Alaska; to the Committee on the Territories.

535. By Mr. CULLEN: Petition of the supreme board of directors of the Knights of Columbus, expressing their oppo-

sition to any action of Congress which would result in a lifting of the embargo on the shipment of arms and munitions to Spain; to the Committee on Foreign Affairs.

536. By Mr. FLAHERTY: Petition of the American Federation of Teachers, Boston, Mass., opposing the amending of the National Labor Relations Act; to the Committee on Labor.

537. By Mr. HAWKS: Petition of 70 residents of St. Joseph's parish, Madison, Wis., protesting against any change in our neutrality policy; to the Committee on Foreign Affairs.

538. By Mr. KEAN: Petition of Rev. John O. Buckmann and sundry other citizens of the Twelfth Congressional District of New Jersey, urging consideration of the subject of neutrality as enunciated in the act of August 31, 1935, and the act of May 1, 1937; to the Committee on Foreign Affairs.

539. By Mr. LEWIS of Ohio: Petition of Frank Nelson and other citizens of Bellaire, Ohio, to adhere to the general policy of neutrality and extending the original act to include civil as well as international conflicts; to the Committee on Foreign Affairs.

540. Also, petition of John Phalin, president, and William Clower, secretary, of the Steel Workers' Organizing Committee, of Yorkville, Ohio, asking Congress to lift the embargo on the loyalist Spanish government and quarantine the aggressor; to the Committee on Foreign Affairs.

541. By Mr. KING: Petition of the United Societies of St. Mary's Roman Catholic Church, of Brooklyn, N. Y., urging continuation of the Dies investigating committee and keeping the embargo on Spain; to the Committee on Foreign Affairs.

542. By Mr. KINZER: Petition of members of St. Anne's Holy Name Society, Lancaster, Pa., setting forth a declaration of policy on the subject of neutrality; to the Committee on Foreign Affairs.

543. By Mr. LANHAM: Petition of George J. Kreyenbuhl and others, of Fort Worth, Tex., concerning neutrality; to the Committee on Foreign Affairs.

544. By Mr. MOTT: Petition signed by Mrs. G. H. Macrum and 51 other citizens of Portland, Oreg., urging the Congress of the United States to adhere to the general policy of neutrality enunciated in the act of August 31, 1935, to retain on our statute books the further and corollary principle enunciated in the act of May 1, 1937, extending the original act to include civil as well as international conflicts; also urging that the Congress launch an investigation of those leftist groups which are sponsoring favoring the lifting of the embargo on arms to "red" Spain; to the Committee on Foreign Affairs.

545. Also, petitions signed by William J. Todd and 77 other members of St. Mary's Academy, The Dalles, Oreg., urging the Congress of the United States to adhere to the general policy of neutrality enunciated in the act of August 31, 1935, to retain on our statute books the further and corollary principle enunciated in the act of May 1, 1937, extending the original act to include civil as well as international conflicts; also urging that the Congress launch an investigation of those leftist groups which are sponsoring favoring the lifting of the embargo on arms to "red" Spain; to the Committee on Foreign Affairs.

546. Also, petition signed by Mrs. E. J. English and 17 other citizens of Portland, Oreg., urging the Congress of the United States to adhere to the general policy of neutrality enunciated in the act of August 31, 1935, to retain on our statute books the further and corollary principle enunciated in the act of May 1, 1937, extending the original act to include civil as well as international conflicts; also urging that the Congress launch an investigation of those leftist groups which are sponsoring favoring the lifting of the embargo on arms to "red" Spain; to the Committee on Foreign Affairs.

547. By Mr. MYERS: Petition of John Divine and 23 other citizens of Philadelphia, Pa., urging the adherence by the United States to the neutrality acts passed by the Congress on August 31, 1935, and May 1, 1937, respectively; to the Committee on Foreign Affairs.

548. Also, petition of Rev. John Daly, rector of St. Barnabas' Catholic Church, and 127 other citizens of Philadelphia, Pa., urging the adherence by the United States to the neutrality acts passed by the Congress on August 31, 1935, and May 1, 1937, respectively; to the Committee on Foreign Affairs.

549. Also, petition of Dr. James A. Kane and 240 other citizens of Philadelphia, Pa., urging the adherence by the United States to the neutrality acts passed by the Congress on August 31, 1935, and May 1, 1937, respectively; to the Committee on Foreign Affairs.

550. Also, petition of Frank J. Eustace, Jr., and 20 other citizens of Philadelphia, Pa., urging the adherence by the United States to the neutrality acts passed by the Congress of the United States on August 31, 1935, and May 1, 1937, respectively; to the Committee on Foreign Affairs.

551. Also, petition of John A. Hoffman and 20 other citizens of Philadelphia, Pa., urging the adherence by the United States to the neutrality acts passed by the Congress of the United States on August 31, 1935, and May 1, 1937, respectively; to the Committee on Foreign Affairs.

552. Also, petition of Mrs. G. Culbertson and 20 other citizens of Philadelphia, Pa., urging the adherence by the United States to the neutrality acts passed by the Congress on August 31, 1935, and May 1, 1937, respectively; to the Committee on Foreign Affairs.

553. Also, petition of Nora Chambers and 20 other citizens of Philadelphia, Pa., urging the adherence by the United States to the neutrality acts passed by the Congress on August 31, 1935, and May 1, 1937, respectively; to the Committee on Foreign Affairs.

554. Also, petition of Mrs. M. Fagan and 20 other citizens of Philadelphia, Pa., urging the adherence by the United States to the neutrality acts passed by the Congress on August 31, 1935, and May 1, 1937, respectively; to the Committee on Foreign Affairs.

555. By Mr. MURDOCK of Arizona: Memorial of the Santa Cruz County Board of Supervisors and the Santa Cruz County Chamber of Commerce, praying for the relief of certain property owners of Santa Cruz County, Ariz., offered in support of House bill 1394; to the Committee on Claims.

556. By Mr. PFEIFER: Petition of the Knights of Columbus of New Haven, Conn., urging the Government to adhere strictly to its present policy of absolute neutrality; to the Committee on Foreign Affairs.

557. Also, petition of the Department of Health of the State of New York, Albany, N. Y., urging support to the appropriation authorized by the Venereal Disease Control Act for the coming year; to the Committee on Appropriations.

558. Also, petition of the Railway Mail Association, New York City branch, opposing reduction in the personnel of Works Progress Administration and endorsing the President's request for \$875,000,000; to the Committee on Appropriations.

559. Also, petition of the New York State Association for Nursery Education, Albany, N. Y., urging support of the nursery school and parent education project of Works Progress Administration; to the Committee on Appropriations.

560. Also, petition of the Fuel Merchants Association, Inc., Brooklyn, N. Y., urging support of House bill 12, amending the Revenue Act of 1932 by imposing a tariff of 3 cents per gallon on importations of crude petroleum and fuel oil; to the Committee on Ways and Means.

561. By Mr. POLK: Petition of Rev. Edward J. Creager, pastor of St. Andrew's Church, Milford, Ohio, and 208 other citizens of Milford and vicinity, urging the Congress to adhere to the general policy of neutrality as set forth in the act of August 31, 1935, and amended May 1, 1937, and particularly keep the Spanish embargo; to the Committee on Foreign Affairs.

562. By Mr. RISK: Petition of Rev. Louis B. D'Aleno, pastor of Our Lady of Mount Carmel Church, Providence, R. I., and containing the signatures of many parishoners,

protesting against the lifting of the Spanish embargo permitting the shipments of arms and ammunitions to Spain; to the Committee on Foreign Affairs.

563. By Mr. SCHAEFER of Illinois: Petition of Rev. Stephen R. Freund, spiritual director, Holy Name Society of St. Luke's Parish, Belleville, Ill., and entire membership of that organization, urging Congress to uphold the Neutrality Act of May 1938, and opposing any movement to lift the present embargo against shipment of implements of war to Spain; to the Committee on Foreign Affairs.

564. By Mr. SMITH of Ohio: Petition of Adeline Wurm, of Findlay Ohio, petitioning Congress to adhere to the policy of neutrality as enunciated in the act of August 31, 1935, to retain on our statute books the further and corollary principle enunciated in the act of May 1, 1937, extending the original act to include civil as well as international conflicts; to the Committee on Foreign Affairs.

565. Also, petition of Richard Hennessy and others, of Findlay, Ohio, petitioning Congress to adhere to the policy of neutrality as enunciated in the act of August 31, 1935, to retain on our statute books the further and corollary principle enunciated in the act of May 1, 1937, extending the original act to include civil as well as international conflicts; to the Committee on Foreign Affairs.

566. By Mr. TENEROWICZ: Petition of August J. Boulay and other citizens, of Detroit, Mich., urging Congress to adhere to the general policy of neutrality; to the Committee on Foreign Affairs.

567. By Mr. THORKELOSON: Petition of Montana Grain Producers Association, recommending certain changes and additions to the Agricultural Act with reference to commodity transportation costs, weed control, soil conservation, parity payment principle, State-owned grain elevators, percentage reduction, and other related matters; to the Committee on Ways and Means.

568. Also, petition of the Fourth Degree Assembly, Knights of Columbus, Great Falls, Mont., opposing the lifting of the embargo of arms and ammunition to Spain; to the Committee on Foreign Affairs.

569. By the SPEAKER: Petition of the Jacksonville Open Forum, Jacksonville, Fla., petitioning consideration of their resolution with reference to neutrality; to the Committee on Foreign Affairs.

570. Also, petition of Anne-Marie von Steuben Rosenberg, Milan, Italy, petitioning consideration of her petition with reference to entering the United States of America; to the Committee on Immigration and Naturalization.

SENATE

THURSDAY, JANUARY 26, 1939

(Legislative day of Tuesday, January 17, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, January 25, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Burke	Frazier	Herring
Andrews	Byrd	George	Hill
Ashurst	Byrnes	Gerry	Holman
Austin	Capper	Gibson	Holt
Bailey	Caraway	Gillette	Hughes
Bankhead	Clark, Idaho	Glass	Johnson, Calif.
Barbour	Clark, Mo.	Green	Johnson, Colo.
Barkley	Connally	Guffey	La Follette
Bilbo	Danaher	Gurney	Lee
Bone	Davis	Hale	Lewis
Borah	Donahay	Harrison	Lodge
Brown	Downey	Hatch	Logan
Bulow	Ellender	Hayden	Lucas

Lundeen	Norris	Schwartz	Tobey
McCarran	Nye	Schwellenbach	Townsend
McKeellar	O'Mahoney	Sheppard	Truman
McNary	Overton	Shipstead	Tydings
Maloney	Pepper	Smathers	Van Nuys
Mead	Pittman	Smith	Wagner
Miller	Radcliffe	Stewart	Walsh
Minton	Reed	Taft	Wheeler
Murray	Reynolds	Thomas, Okla.	White
Neely	Russell	Thomas, Utah	Wiley

Mr. MINTON. I announce that the Senator from Utah [Mr. KING] is detained from the Senate because of illness, and that the Senator from New Mexico [Mr. CHAVEZ] is detained on important public business.

The VICE PRESIDENT. Ninety-two Senators have answered to their names. A quorum is present.

SUPPLEMENTAL ESTIMATE OF APPROPRIATION FOR DISTRICT OF COLUMBIA (S. DOC. NO. 24)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the District of Columbia, Commission on Mental Health, for the fiscal year 1939, in the amount of \$9,820, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

CHOCTAW AND CHICKASAW SANITORIUM AND GENERAL HOSPITAL

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to provide for conveying to the United States the land, buildings, and improvements comprising the Choctaw and Chickasaw Sanatorium and General Hospital, which, with the accompanying paper, was referred to the Committee on Indian Affairs.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following memorial of the House of Representatives of the State of Colorado, which was referred to the Committee on Foreign Relations:

House Memorial 1

Whereas in the interests of humanity and world peace it becomes necessary that the President of the United States and the Congress of the United States take such action as will deny aid or assistance of any kind to the country of Japan in the furtherance of the war against the country of China; and

Whereas denial of the right to purchase munitions and materials of war would effectively accomplish such purpose: Now, therefore, be it

Resolved by the house of representatives of the thirty-second general assembly, That this body memorialize the President of the United States and the Congress of the United States to take immediate action to terminate the selling of munitions and war materials by citizens of the United States to the country of Japan; and be it further

Resolved, That the Senators and Representatives of the State of Colorado in the Congress of the United States give their support to any measure that will accomplish the purposes of this resolution, and that copies of this memorial be forwarded to the President of the United States, the President of the Senate, and the Speaker of the House of Representatives of the Congress of the United States and to the Senators and Representatives of the State of Colorado in Congress.

The VICE PRESIDENT also laid before the Senate the following House memorial of the Legislature of the State of Montana, which was ordered to lie on the table:

A memorial to the Congress of the United States of America protesting the reduction of the \$875,000,000 asked by President Franklin D. Roosevelt for Works Progress Administration purposes to \$725,000,000

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Whereas the House of Representatives of the United States has cut the appropriation for Works Progress Administration purposes to \$725,000,000 from \$875,000,000, the amount requested by President Franklin D. Roosevelt; and

Whereas such a reduction would cause great distress and serious conditions in Montana due to increased unemployment in private industry: Now, therefore, be it

Resolved, That the Twenty-sixth Legislative Assembly of the State of Montana, the senate and house concurring, does hereby protest the reduction of the appropriation for Works Progress Administration purposes and respectfully petition and request the Congress of the United States to restore to the sum of \$875,000,000 the appropriation for said Works Progress Administration purposes as requested by President Franklin D. Roosevelt; and be it further

Resolved, That copies of this memorial be transmitted by the secretary of state of the State of Montana to the Honorable